Tros Tyriusque mihi nullo discrimine agetur

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RUM RUNNING AND INTERNATIONAL LAW

BY FREDERIC R. COUDERT

CODFISH, lobsters, seals and rum may, and indeed, probably do, have a far wider influence upon the creation and formulation of rules of international law than have the lucubrations of publicists and the discussions of learned academies. Rules about which only the professor or the occasional lawyer concerns himself may over night become the subject of wide and agitated popular discussion. The doctrines of continuous voyage, of ultimate destination, of visitation and search, became the commonplaces of street controversy during the Great War.

Today the "three mile limit rule," so called, has attained a similar place and usually finds ardent championship or abusive condemnation, not in proportion to the learning of the critic, but rather in proportion to the personal viewpoint which he may entertain toward the toxic or hygienic effects of beverage alcohol. In these circumstances, the discussion is not always as enlightening as it might be, and the results reached are neither conclusive nor useful. As the controversy, however, is one which is appealing to popular imagination, it is highly necessary that its legal aspects should be calmly considered and dissociated, as far as possible, from the brain inflaming material concerning which it originated.

Nor are the divisions of opinion confined to those whose reasonings are affected by the emotional elements involved in the prohibition question. Learned publicists have gone so far as to

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claim that the three mile rule is not in reality a rule at all, but rather a working hypothesis not definitely crystallized into law. Some of these gentlemen further claim that the spectacle of large fleets of rum runners congregated just outside of our three mile limit, daily successfully violating American law, is one which we are not bound by international law longer to tolerate.

I shall try, therefore, in simple fashion and without technical phrase, to state the situation as it appears today from the standpoint of international law.

It must be admitted that international law, like municipal law, is the result of historic causes and is ever more or less in process of modification or change. The doctrine of the "freedom of the seas" is of comparatively recent date. Spain and Portugal claimed to divide jurisdiction over them through the famous bull of Pope Alexander Sixth. Venice claimed the Adriatic and Holland made large claims in the Indies. It was, therefore, something of a novelty when Grotius, the father of international law, announced that "The boundless and rolling sea was as common to all people as the air," and that "No prince could challenge further into the sea than he could command with a cannon." The doctrine, however, comported well with the rise of the great nations in Europe in the seventeenth century in its negation of the claim that one nation might exercise lordship over the seas. Thus gradually, and after many wars and much controversy between the great maritime powers, it became finally generally recognized that the limit of control of a nation over its adjacent waters was the ancient limit of the cannon range; to wit, three miles.

This result was not reached without difficulty or discussion among writers and lawyers. Many publicists and statesmen claimed a wider exercise of jurisdiction. It was admitted that cannon range was rapidly increasing and it was claimed that the rule should expand with the growing power of explosives. This, however, did not meet with the assent of the nations, without which there can be no real rule of international law.

The United States early adopted the view that the three mile limit was a settled definite rule of law which had ceased to possess the elastic qualities of a rubber band. In the recent decision of the Supreme Court as to the right of foreign vessels to bring

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alcoholic liquors into our territorial waters, the court states the proposition unequivocally as follows:

> It now is settled in the United States and recognized elsewhere that the territory subject to its jurisdiction includes the land areas under its dominion and control, the ports, harbors, bays and other inclosed arms of the sea along its coast, and a marginal belt of the sea extending from the coast line outward a marine league, or three geographic miles. (*Cunard Steamship Co. v. Mellon.*)

In the controversy with Spain regarding the exercise of Spanish jurisdiction beyond the three mile limit in waters surrounding Cuba, Mr. Webster, then Secretary of State, declared that there were two principles universally admitted—

> Namely, first, that the sea is open to all nations; and, secondly, that there is a portion of the sea adjacent to every nation over which the sovereignty of that nation extends to the exclusion of every other political authority;

and again, in reference to a similar controversy, Secretary of State Seward asserted that no sovereign could widen his jurisdiction at his own will, and that—

> His right to a jurisdiction of three miles is derived not from his own decree but from the law of nations, and exists even though he may never have proclaimed or asserted it by any decree or declaration whatsoever;

and he adds:

> He cannot, by a mere decree, extend the limit and fix it at six miles, because, if he could, he could in the same manner, and upon motives of interest, ambition, or even upon caprice, fix it at ten, or twenty, or fifty miles, without the consent or acquiescence of other powers which have a common right with himself in the freedom of all the oceans.

The question was a vital issue in the famous Bering Sea controversy between Great Britain and the United States, happily disposed of by arbitration in 1893. The United States had claimed, among other rights, that of seizing British vessels killing seals outside United States territorial waters upon the ground that this was an interference with a valuable property or industry belonging to the United States, and that the measures were justified under the right of so-called "self-preservation". Various instances were cited of fisheries over which foreign nations had claimed exclusive right beyond the territorial waters, or of ancient revenue laws extending the right of seizure far beyond the three mile limit. This point of view was argued with

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maximum ability by the ablest legal talent the United States possessed, but the Tribunal rendered an adverse decision on all of these arguments and held that the seal might be taken as any fish in the open ocean, and that the United States was not justified in interfering with the foreign sealing vessels beyond the three mile limit. In the course of the argument, it was shown that the many instances adduced by counsel for the United States were either due to special prescriptive rights or had been mere assertions of dominion not acquiesced in by the nations, and in some instances wholly withdrawn.

It seems clear to me that those who question the definiteness of the three mile limit are confusing the question of territorial waters with certain instances of national action undertaken in pursuance of some claim of self-preservation. As an instance of the exercise of such right are cited certain revenue and quarantine laws purporting to extend national action beyond the three mile limit. For instance, an ancient revenue law of the United States (1797) provides that—

> If a vessel bound to a port in the United States, shall, except from necessity, unload cargo within four leagues from the coast, and before coming to the proper port for entry and unloading, and receiving permission to do so, the cargo is forfeit, and the master incurs a penalty.

Great Britain had a similar law of ancient date, which has within recent times been modified specifically so as to apply only to British nationals. As to this law of the United States, it may be said that it was passed in the infancy of this Government and that there is no known instance of any complaint on the part of a foreign Government of the trespass by the commander of a revenue cutter on the rights of its flag under the law of nations. The statute itself gives no authority to arrest foreign vessels and seems to have been enacted to facilitate the work of the customs officials. Authority is at most given to board vessels of the United States and to remain upon them until they arrive at their port of destination. I can only say of such laws intended to confer authority upon national officials outside of territorial waters, that they are not part of the law of nations but are a mere survival from an earlier age in which the conception of territorial waters had not been definitely fixed. As far as international

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law goes either they are now obsolete or their operation must be construed to extend only to the nationals of the State having such statutes. They cannot be maintained on any "self-defense" doctrine.

It is, I think, a mistake to assume that the so-called "right of self-preservation" is anything in the nature of law at all. It is obvious that where a nation is threatened in its national security or vital interests by the action of foreigners along the limits of its territorial waters it may resort to force to eliminate the threatened danger. It may well be that the nation whose flag is thereby involved will acquiesce in the attempt to restrain its nationals who may be endeavoring to violate the territory or safety of a friendly nation; but I believe there is no real precedent establishing in international law any such "self-defense" as a legal right. It would largely negative the doctrine of the freedom of the seas and could lead only to indefinite confusion and conflict.

When, in 1842, Canadian nationals crossed the border and burned the American ship "Caroline", believed to be aiding certain insurgents, Mr. Webster in protesting against the action, which had been defended on the ground of self-preservation, declared that this right was confined to cases in which the "necessity of self-defense is instant, overwhelming, and leaving no choice of means, and no moment for deliberation." Although this act occurred during an insurrection in Canada, the British Government apologized for the invasion of United States territory, and Lord Ashburton, adverting to the doctrine of national self-defense, admirably summarized the difficulties inherent in such a doctrine as follows:

> There are possible cases in the relations of nations, as of individuals, where necessity, which controls all other laws, may be pleaded; but it is neither easy nor safe to attempt to define the rights or limits properly assignable to such a plea. This must always be a subject of much delicacy, and should be considered by friendly nations with great candour and forbearance. The intentions of the parties must mainly be looked to; and can it for a moment be supposed that Great Britain would intentionally and wantonly provoke a great and powerful neighbour? (Moore, *International Law Digest*, Vol. II. pp. 411, 412).

A franker statement of the so-called right was that of the German Chancellor who defended the invasion of Belgium on the

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ground "that necessity knows no law". It is evident that in cases of extreme urgency a nation may violate the territory of another nation or its rights on the high seas in order to ward off an imminent peril, but it does so at its own risk. This cannot, however, affect, modify or change the rule as to the limit of territorial waters.

It is true that three miles is an arbitary limit, but without such arbitrary limit the rule would be of little value. It is necessary that some control be maintained by each nation over its marginal waters for the protection of its neutrality, its independence, and its revenue or health laws. If no precise limit existed, it would be necessary to create one by international agreement. If three miles be insufficient, then must the nations by such agreement extend the limit; but until such extension takes place the general rule exists and those who violate it must bear the consequences. It has been steadily maintained by the Department of State of the United States, and, whatever its origin, the rule has, in my view, become established law which cannot be changed without general agreement among the nations.

It is of course obvious that if a nation were threatened with attack by nationals of a foreign country operating beyond the three mile limit, it would be morally justified in averting such attack by any necessary means. In so doing it might risk war, but this would be a necessary and foreseen consequence of its action.

The difficulty in the present situation is not one involving international law at all, although affecting international relations. There will doubtless be borderline questions as to how far vessels remaining themselves outside the limit may be considered by reason of the use of their own boats or boats under their control to operate within that limit. The application of the three mile limit itself to irregular portions of our coast, to bays and headlands, has always furnished material for discussion of the application of the rule, but such discussion does not affect the existence or validity of the rule itself.

The rule being clear, what is the situation as to those rum running vessels that do not infringe it? I know of no rule of international law which would justify the Government of the United States in violating the "freedom of the seas" and seizing such

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vessels, whether they be four miles or forty miles from the coast. I do not think that their presence endangers the safety or independence of the United States or would justify their suppression as an act of self-defense, the necessity of which, in the language of Mr. Webster, must be "instant, overwhelming, and leaving no choice of means, and no moment for deliberation." Forcible suppression might facilitate the execution of the anti-liquor laws of the United States and the operations of revenue or other officials charged with that duty; yet that it could be justified on the very vague and extra-legal doctrine of national "self-preservation" cannot be seriously maintained.

The prohibition of alcoholic stimulant is a social experiment of high interest in which the United States is deeply concerned, but it is not yet one of these admitted evils which like piracy are condemned by all nations.

On the other hand, there are in the situation elements of danger tending to disturb especially Anglo-American relations, which should be frankly faced by the governments and peoples on both sides of the Atlantic. The presence of large fleets of vessels just outside the territorial waters intent upon violating American law is a cause of constant irritation to a numerous body of the American people and may well appear to be an indignity toward a great and proud nation. Assuming that large fleets of craft containing tobacco hovered about the English coasts intent upon landing that delicious weed without regard to the very strict English revenue laws, it is not difficult to imagine that a considerable amount of emotion would be stirred up in Great Britain and that the Government of the United States might be politely requested to use its good offices to prevent this organized attempt to flout British law. On the other hand, a certain amount of not unnatural indignation is felt in Europe at the attempt of America to impose what is looked upon as a social experiment of doubtful validity upon vessels under foreign flags entering its ports. The extension of the Volstead Act to all vessels entering territorial waters is, indeed, wholly inconsistent with long settled international practice, even though not directly contravening international law. It would be hard to persuade the gallant French nation that schooners laden with the luscious

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wines of Bordeaux and Burgundy were really menaces to the security of the United States.

This divergence in point of view as to the wisdom and morality of prohibition as well as the extreme enforcement of the literal terms of the Volstead Act to foreign vessels is rapidly creating a serious international difficulty. The United States is within its strict rights in prohibiting the entry into its port of all liquor-laden vessels and the nationals of other nations are violating no law in hovering outside of the marginal waters of the United States seeking possible American purchasers for their wares.

It is thus not a situation which can be remedied by the application of existing law. The causes of irritation must be removed by mutual forebearance lest the controversy may give rise to even more dangerous proportions than those which heretofore raged over lobsters or seals.

I do not think that foreign nations should be called upon to surrender their rights upon the high seas. Such a precedent would be retrograde, dangerous and a bartering away of a great and beneficent principle. On the other hand, I think means should be found by international agreement to discourage the wholesale and organized attempts to aid in the violation of a law of the United States, which, however unreasonable it may seem to those abroad, and to many at home, yet appears to be sustained by a considerable majority of the American people.

With the good will now existing on both sides of the water, some agreement can surely be reached which, while maintaining intact the doctrine of the freedom of the seas and leaving unquestioned the limit of territorial waters as heretofore fixed, may yet reduce the rum running industry to minimum proportions. Foreign nations should find means of discouraging a practice which, even though strictly not contrary to the law of nations, is actually so inimical to international relations. On the other hand, the United States should modify its laws as to foreign vessels so as to conform to the heretofore ancient and settled international practice. These are matters not for the lawyer, but for the statesman.

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COAL CONTROL AND THE CONSTITUTION

BY CHARLES KELLOGG BURDICK

We have all talked a great deal about coal in recent days—coal prices and coal shortage, strikers and profiteers, and of means of deliverance of the ultimate consumer from his sore distress. Coal is so much an essential in present-day life that it seems imperative to find a way to mend conditions as they now exist. But before we make up our minds as to what we want to do, it is worth while to make sure what we can do—what remedies can be applied by State and Federal Governments.

The Constitution forbids States to deprive persons of life, liberty or property without due process of law, and also forbids the impairment of the obligation of contracts by the States. It is well established that the interference with the free acquisition and use of property, or the curtailment of complete liberty of action, including the making of contracts, is a deprivation of both liberty and property. But it is equally well established that if this is done under the police power it is done with due process, and so is constitutional. In this connection the police power was first interpreted as including the protection of health, safety, morals and good order. Latterly, however, the conception of that term has been given great breadth and elasticity by being declared to include the protection of "the public welfare."

The section of the Constitution which forbids States to impair the obligation of contracts is quite unqualified. It in terms makes no exceptions. But the Supreme Court has now made it quite clear that all contracts are made subject to the police power of the States, and that legislation under the police power does not unconstitutionally impair the obligation of contracts, though it may interfere with the fulfilment of their terms. And in this field, also, in recent years the police power has been interpreted broadly to cover legislation for the protection of the general welfare.

In a very real sense the police power is the constitutional safety

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valve for the States. Its liberal interpretation gives scope for considerable experimentation in the field of social legislation, as changing circumstances arouse the public to make new demands for protection against social dangers or economic hardships.

There seems no doubt that it is constitutional for the States to fix a reasonable price for the output of coal mines. That the owners of coal mines are dealing with a commodity of such great importance as to bring it within the police power of price regulation would seem to be clearly proved by the number of persons dependent upon the commodity, and the vital importance which coal has for them all. Nor would the regulation by the States of the price of coal at the mine effect an unconstitutional regulation of interstate commerce, since until delivered to the carrier for shipment coal does not become a part of interstate commerce, as was declared by the Supreme Court of the United States in upholding a Pennsylvania tax on coal at the mine, although such a tax would clearly increase the price which users in other States would have to pay.

It is certain that the hours of labour in mines may be fixed by the States. This the Supreme Court declared even at a time when general regulation of hours of labour was still held to be mere officious intermeddling with people's private affairs—a time before Mr. (now Justice) Brandeis had developed a form of brief calculated to instruct the court as to the social and economic situation intended to be met by such legislation.

Before the ninth day of April of this year it would probably have been asserted with reasonable confidence that the States have some right to fix and require a living wage in industry. In 1917 a case went to the Supreme Court of the United States involving the constitutionality of an Oregon minimum wage law for women, which had been upheld by the highest court of the State. The judgment of the State court was affirmed by an evenly divided court, and without opinion, Justice Brandeis not taking part in the decision, having been of counsel. But in view of the latter's known support of such legislation this was fairly considered, in effect, a five to four decision in favour of constitutionality. Now we have a Congressional minimum wage for women, enacted under a police power over the District of

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Columbia which is as broad as the police power of the States within their borders, held unconstitutional by a vote of five to three, Justice Brandeis not participating—in effect a five to four decision denying the constitutionality of such a law.

One feels, in examining the prevailing opinion of Justice Sutherland and the dissenting opinions of the Chief Justice and of Justice Holmes, that he is in contact with two very different attitudes of mind towards the constitutional question presented to the court. Justice Sutherland has formed his own opinion that the public welfare does not demand such limitation of the free power to contract as is contained in the minimum wage legislation, and that women no longer require special protection in industry, and, therefore, declares the act of Congress invalid. The dissenting Justices, on the other hand, stress the point that the question is not whether judges think that the principle of political science behind minimum wage legislation is sound or unsound, but whether there is any basis for the view of the legislature that the public welfare will be served by such legislation—leaving to the legislature the question of *policy*, and only countenancing an annulment, on the ground of unconstitutionality, of legislation passed as an exercise of the police power, when it is purely arbitrary and bears no relation to the public welfare.

That much can be said in favour of minimum wage legislation, and particularly minimum wage legislation for women, is clear. The receipt of less than a living wage adversely affects the health of any wage-earner, but is also especially injurious to future generations when the wage-earners affected are women; tends to increase crime, and to increase among women commercialized immorality; and casts upon the community the burden of making up through private or public charity the difference between the wage received and a living wage if the foregoing dangers are to be warded off. It does not seem unreasonable to demand that the industry to which one devotes his time and strength shall in return give a wage upon which life may be maintained. As the Chief Justice points out, the limitation of the freedom of contract in respect to wages to be paid can hardly be viewed as essentially more drastic than the limitation of the freedom of contract in the matter of hours which shall constitute a working day. While the

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Supreme Court in its recent decision only passed upon the power of Congress to enact a minimum wage law for women under its police power over the District of Columbia, this decision would seem to show that the minimum wage laws, passed by a dozen of our States under their police power, are equally a deprivation of liberty without due process. Many groups of our citizens are finding this conclusion very disquieting. It seems, however, that, for the present at least, and until the Constitution is amended, or public opinion can be brought to bear effectively upon the judicial mind, the States cannot legislate on the subject of wages for the protection of the wage-earner.

Under the Industrial Relations Act of Kansas of 1920 it was attempted to provide for the fixing of wages in "the public utilities" and in businesses engaged in the supplying of food, fuel, clothing and transportation, and to forbid employees to strike against wages so fixed. The Supreme Court of the United States in June of this year held that, as applied to the meat packing industry, this part of the Industrial Relations Act was unconstitutional, being an unreasonable exercise of the police power. The Court does not deny that there may be cases in which threatened discontinuance of the supply of necessary service as the result of industrial disputes might justify the fixing of wages to protect the consuming public, but indicates great reluctance to support such exercise of the police power by the States. That the wages of coal miners may be fixed by the States in the interest of the consuming public seems, therefore, very doubtful.

It has often been judicially declared that the common law made illegal all combinations of labourers to bring pressure upon their employers by strikes or threats to strike—these were illegal conspiracies to upset the law of supply and demand. Though State legislatures have by statute recognized the right of collective bargaining on the part of labour and have legalized the peaceful strike, it is reasonably clear that they may withdraw this sanction and make a combination to quit work, where this will be injurious to the public at large, again a criminal offense. If hours of labour may be determined by legislative fiat, it follows that disputes on this question may be required to be submitted

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to arbitration or to the determination of impartial tribunals, and that strikes pending such determination may be forbidden. This is in part the purpose of the Kansas Industrial Relations Act, which, however, also deals with wage disputes. The act was held constitutional by the highest court of that State. It has up to the present time been held unconstitutional by the Supreme Court of the United States only in its relation to the power to fix wages.

If it be asked, may the individual miner be forbidden to quit work when he pleases, if in quitting he breaks a contract of employment, the answer is not entirely clear. The Constitution forbids involuntary servitude except as a punishment for crime of which one has been duly convicted, and this means that an individual ordinarily cannot be forced to work, and cannot be enjoined by a court from breaking his contract of service, or punished criminally for such breach. Still, there are implied exceptions. Military service may be enforced, and it is constitutional to compel jury service, and work on highways. These are all included in the duty owed by the citizen to the State. But also a sailor may be forcibly returned to his ship if he deserts before the termination of his contract of service, though his ship be a merchantman and not a public vessel. This being so there may be other situations in which arguments of policy may be so strong for the protection of the public as to induce the recognition of other exceptions to the general rule that the breach of a contract of service cannot be prevented or punished. The Supreme Court of the United States has thrown out the suggestion that "it may be—but upon that point we express no opinion—that, in the case of a labour contract between an employer engaged in interstate commerce and his employee, Congress could make it a crime for either party, without sufficient or just excuse or notice, to disregard the terms of such contract or to refuse to perform it." (*Adair v. United States*, 208 U. S. 161.) This suggestion is certainly as applicable to the States under the police power as to the Federal Government under the power over commerce.

If, then, the production and consumption of coal were a wholly intrastate matter, the police power of the States might be reasonably adequate to meet the situation except in the matter of wages

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—a matter, however, which is usually at the root of coal troubles. But of course we all know that this is not the case. Most of the product of the large coal mining States goes to consumers outside of their borders. The consuming States may by price regulation prevent exorbitant profits being made by coal dealers within their jurisdictions, but they have no control over production, and the influence in producing States of the coal interests may be so strong as to prevent regulation there in the interest of the consumer. Certainly there is no assurance of uniformity in state action. Besides, neither the producing nor the consuming States can control interstate transportation—that right they gave up to the National Government. The problem is really bigger than the individual States, and can only be partially met by them.

There is no doubt of the constitutional power of the National Government to deal with one phase of the coal situation—that which has to do with actual interstate transportation. That Government regulates the rates in such transportation, and the practices with regard to car distribution and commodity movements. It forbids preferences and discrimination, requires publicity as to rates, and denies to the railroads the right to carry commodities owned by them in competition with their patrons. Congress has sought within the last year to give the Interstate Commerce Commission power to use its control over car distribution for the purpose not only of effecting a proper apportionment of coal, but also for the purpose of preventing the sale of coal at unreasonably high prices. But how far outside of actual transportation may it go? Under the Sherman Act and its amendments and the Federal Trade Commission Act it strives to prevent monopolies, combinations in restraint of trade, and unfair practices on the part of those actually engaged in interstate commerce.

But it may go further than this, for it may actually forbid the entrance of certain objects into the channels of interstate commerce, such as liquor (before it was entirely outlawed by the Eighteenth Amendment), lottery tickets, impure drugs and food, and women taken from one State to another for immoral purposes. And what it may forbid completely it may permit conditionally, as the Supreme Court held with regard to liquor before the Pro-

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hibition Amendment was adopted. May Congress, then, regulate the relationship of capital and labour in the coal mining industry, and the price of coal at the mine by means of its power to exclude commodities from interstate commerce or to admit them to such commerce conditionally?

Let us remember that the National Government has only those powers which are granted it in the Constitution; that no general police power for the country at large is therein contained, and that Congress may not, therefore, *directly* fix rates and wages and hours of labour for intrastate businesses. When Congress acts it must justify its action under one of the grants of power made to it in the Constitution. Leaving aside the war powers, which are not applicable at the present time, the power to levy an excise—that is, a privilege or occupation tax—and the power to regulate interstate commerce alone could possibly be used for purposes of indirect regulation of intrastate business. And it seems pretty clear from the second Child Labor case that the taxing power may not be resorted to when the clear purpose of the statute is to regulate the internal affairs of the States and not to raise revenue. An attempt to levy a federal tax upon coal mines because of their failure to conform to named standards as to price, wages and working conditions, would probably be declared invalid.

In the first Child Labor case, the Supreme Court by a vote of five to four held a Congressional statute unconstitutional which withheld the privileges of interstate commerce from goods produced in factories or mines in which children under specified ages had been employed. The majority of the court said that the statute was a mere attempt to impose police regulations upon the States by indirection, when this could not be done directly, and so was a usurpation of the States' police power and not a regulation of commerce. As to earlier cases referred to, the court declared that "in each of these instances the use of interstate transportation was necessary to the accomplishment of harmful results", while under the Child Labor Act the goods shipped were harmless in themselves, and the work upon them was finished. But drugs, food, liquor and lottery tickets, which have been excluded with the approval of the court, are bad only

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in that they will be injurious to the inhabitants of the States of destination—their carriage is not dangerous. The fact is that the statutes which have been upheld have forbidden the transportation of goods in interstate commerce to protect the inhabitants of the States of destination. Why should not Congress have the same power for the purpose of protecting the inhabitants of the States of origin? In fact it would seem that part of the purpose of the Mann White Slave Act, which has been declared constitutional, is to protect women and girls from being induced to leave the States, in which transportation would begin, to their injury. Why, then, should not a statute for the protection of children in the State of origin, which prohibits the transportation of the product of their labor, be held valid? Besides, the Child Labor Act was passed also to protect the inhabitants of the States of destination from the danger of being forced to lower their standard as to child labor in order to meet the competition of less enlightened States.

The whole conception of the majority of the court in the first Child Labor case as to the control of interstate commerce is narrow. Before the adoption of the Constitution each State possessed the absolute power to exclude any or all goods coming from the other States. All of the States have completely divested themselves of control over interstate commerce and have vested that control in Congress. Why is it not most reasonable to assume, then, that Congress has as complete a power to exclude goods from interstate commerce as the States originally had? It is to be hoped that the Supreme Court may see its error in the first Child Labor case, and recognize a broader basis of the power of Congress over interstate commerce. A statute denying to coal the privileges of interstate commerce unless produced and sold under conditions set forth in the federal act would give an excellent opportunity for the reopening of this question, and would present a case in which the protection afforded to the inhabitants of the States of destination would be more strongly apparent than in the first Child Labor Act. It would, however, be certainly unsafe to predict that such legislation would be upheld by the Supreme Court, however strong one's feeling may be that that should be the result. Moreover, it is not clear that such legislation would

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constitute an effective remedy for the present situation. What is needed is to get coal to the consumer in sufficient quantity and at a reasonable price. The conditional grant of the privileges of interstate commerce might result, at least for a period, in the conditions going unfulfilled and coal not being moved.

What we apparently need, if federal action is desirable and is to be made effective, is direct federal regulation of coal production, or federal ownership of coal mines. Probably direct regulation would require a constitutional amendment, for production is not part of interstate commerce. To be sure the Supreme Court is committed to the proposition that intrastate railroad carriage, though it is not interstate commerce, may be regulated under the interstate commerce clause when lack of such federal regulation adversely affects interstate carriage, and it held in supporting the Adamson Law that Congress could legislate to settle a railroad labour dispute in order to keep interstate trains moving. Both of these extensions of the commerce power, though justifying regulation affecting intrastate activities, are recognized for the protection of interstate transportation. Their underlying principle might conceivably be carried a step further to justify the temporary assumption of control of coal mines if necessary to supply fuel for the running of interstate trains. Probably the war power even in peace times would justify similar action if actually necessary to assure an adequate supply of coal to our navy, and for the transportation of troops by land. Direct regulation of intrastate production for the benefit of the ultimate consumer, simply because the subject matter of that commerce will pass through interstate channels on its way to the consumer, would not be supported by the same reasoning, and its constitutionality would seem difficult to support, in the absence of a Federal amendment, in the light of our Federal theory of a National Government with strictly limited and enumerated powers.

Let us consider for a moment the problems involved in the purchase and administration of the coal mines by the National Government. The wisdom of such a course is a question quite aside from our present discussion. The right of the National Government to acquire vast tracts of territory from other coun-

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tries by conquest or purchase, and to hold them in trust for the public, has been conceded since the days of Jefferson and the Louisiana Purchase. That it may purchase land within the States by negotiation or by eminent domain (that is, without the consent of the owner) for post offices, forts, arsenals and the like is also established. If a voluntary sale of coal mines were arranged by the mine owners and the National Government, it might be considered that the object of such purchase, being to assure the steady supply of coal at a reasonable price to consumers throughout the country, would justify the payment of the purchase price through the taxing power, under the constitutional provision which gives Congress the power to levy taxes to provide for the "general welfare." But the acquisition of the mines would not be sufficient—the National Government would have to administer them. The Constitution only gives Congress power to legislate for "*places purchased by the consent of the legislatures of the States in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings.*" (Art. I, sec. 8, par. 17.) If the mines were nationally owned, much could be done to control the situation by administrative orders, but legislation would also undoubtedly be found necessary.

The forced transfer of the coal property to the Federal Government under the power of eminent domain, if the mine owners objected to parting with title, could probably not be accomplished without a constitutional amendment. It is not certain that such an exercise of eminent domain would be considered constitutional on the part of the individual States, though they possess all of the great body of sovereign powers not surrendered under the Constitution. The power of eminent domain inheres in the Federal Government as an attribute of sovereignty, but only as incident to those governmental powers granted to it by the Constitution. So the Federal Government may condemn property for a post office or an arsenal as incident to its power over the post and to its war power. It may be fair to assume that it could take over the interstate railroads of the country by condemnation under its power over interstate commerce. Perhaps it could condemn mining property if necessary in order to obtain a supply of coal with which to run nationalized railroads, but could it exercise the

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power of eminent domain in order to acquire mines so that coal, which at the mine is not part of interstate commerce, might move in interstate commerce at such prices and with such regularity as to meet the needs of the general public? It would be presumptuous to state what a majority of the Supreme Court would answer to that question, but the constitutionality of such an exercise of the power of eminent domain is at least extremely doubtful. Furthermore, we have seen that if Congress were to legislate for such property the consent of the interested States would be necessary, and even then it is doubtful if the present wording of the Constitution would support Congressional legislation as to property acquired for mining purposes.

Of course, if the National Government should by constitutional means acquire the coal mines there would be no further impediment to its fixing the price of coal. Being then the employer it would also deal directly with the miners. If it had the power to legislate for such property, as incident to its power to conduct such a public service as the supplying of so necessary a commodity as coal, it could then probably forbid strikes, and require the arbitration of disputes. It might even have the power to make it an offense for coal miners to leave their work individually during the terms of their employment contracts.

A Federal Coal Commission was created by Act of Congress in September, 1922, to investigate thoroughly the whole coal situation, and to report. It made a report with recommendations, which was made public on July 8 of this year. This report, as a careful statement of the elements which go to make up the ultimate cost of coal to the consumer, and of working conditions in the coal industry, is immensely useful. Its recommendation that, through a system of reports from coal operators, continual publicity be given to conditions in the coal industry, if followed, may be expected to prove of real value. The Commission suggests that the freight charges for the transportation of coal be reinvestigated by the Interstate Commerce Commission, believing that they are disproportionately high. The Commission does not approve of government ownership, but believes that the coal mines should be left in private hands. Its only radical recommendation with regard to the control of the

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situation at the mines is that Congress give to the President authority, in the event of cessation of operation, to declare an emergency, to take charge of the mines, to fix wages and the compensation to the owners, subject to review by the courts, and to distribute the products of the mines as he deems wise and just.

The constitutionality of this proposed emergency legislation is at least open to grave doubt. Congress can only act in the fields set apart to it by the Federal Constitution. As has been suggested, Congress might control the operation of coal mines under the war power for military purposes, and might perhaps even take control of their operation temporarily to keep interstate traffic moving. As has been pointed out, Congress can also bring indirect but effective pressure to bear upon the coal operators through its power over interstate commerce, and could do so even more effectively if the first Child Labor decision were repudiated, or by some mental legerdemain were held not to apply to the product of coal mines. But it does not appear how, under the present terms of our Constitution, it could take over the management of intrastate industries in order to assure a supply of their products to the private consumer, simply because those products must reach the consumer through the channels of interstate commerce.

On the whole it is doubtful if the National Government, under its present limited constitutional powers, can fully cope with the coal situation, granted that it is desirable to have uniform and centralized control. By constitutional amendment, however, it may be given power completely and exclusively to regulate the coal industry from the point of original production to that of final distribution. As an alternative, it may by the same means be given power to purchase and operate the coal mines. Either course means greater centralization of power at the expense of the States, and to this, under the second alternative, are added the risks of government ownership.

CHARLES KELLOGG BURDICK.

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POINCARÉ: MAN AND POLICY

BY SIR THOMAS BARCLAY

No man in the course of the current century has been so active or has acquired so large a place in the chronicles of his time as M. Poincaré. Two other statesmen there are who share with him widespread renown, with affinities common to all three. Mussolini, different as he is, pursues a policy representing cognate tendencies with which the civilized world has now to reckon; and Lenin, again so different from both but at bottom swayed apparently by the same revolt against the political sobriety of the nineteenth century, are statesmen who cannot be left out of a generalization of twentieth century tendencies. In this article, however, I confine myself to M. Poincaré.

As M. Poincaré holds the first place in the problems at present agitating this quarter of the globe, and his policy is more or less a personal one, it may be well before dealing with it to say something of the man. He belongs to a family of hard headed, capable Lorrainers, and is quite unlike the familiar Gallic Frenchman. In the first place, he listens to what you say and expects you to pay the same attention to what he says. His manner is businesslike, and he has the firmness of mouth which should warn those who converse with him that any futile "palaver" will be unwelcome. And yet, along with these characteristics, he is really, I believe, timid from conscientious doubt of himself. I have heard men complain that his acts are not always what his words foreshadow. I know him well enough to guess why. He argues with himself. And a man who examines his own resolutions and hesitates to uphold them against the opinion of others he regards as equally capable of arriving at right conclusions, may do things which are not solely the outcome of his own reasoning. He published article after article before he accepted the Premiership to see the comments and hear the views of others, and once he thought he knew the general trend of public

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opinion, he acted. So f[ar] in fact from being deaf to views different from his own, I d[oubt] whether, if he had followed his own reasoning exclusively, he [would] have embarked on the policy with which his name is n[ow] identified.

The diffidence about [his] own views I am ascribing to M. Poincaré would lead him to a corresponding, perhaps undue, respect for expert opinion the opinion of men who have devoted a life-long study to a subject where he had only the experience of an amateur. I will not labour the point, but I suspect that the present policy of France is largely due to deference to the views of certain military experts.

A man so conscientious as M. Poincaré can never be unamenable to reason, but in all matters he exacts chapter and verse. In common with his countrymen, from whom in other respects he is so different, he also demands clear situations, security for the future, sure returns, small though they may be, in preference to vague possibilities, however much greater they may seem.

M. Poincaré, by profession an advocate, when I first knew him was frequently retained to argue patent and trade mark cases and, although he did not confine himself to them, he was classed among the specialists for such matters. The precise, mathematical mind of the Poincarés would account for this liking for the technical subtleties which the comparison of rival specifications involves. And I cannot help thinking that much of M. Poincaré's close dialectic is due to an intellectual habit acquired in the search for faults, oversights and weaknesses in the specifications he had to demolish and for ambiguities of language in those he had to uphold.

In stature M. Poincaré is short but well proportioned, and his "barbaric" health and endurance, in spite of his sixty-four years, are proverbial. He has a facile pen, trusts as little as possible to improvisation, and the crisp, distinct, small character of his penmanship reminds one always of the penman himself.

As President of the Republic he was a model of self-effacement. He did what the Constitution required of him, and with his usual conscientious devotion to the "written word", the letter of the law, not finding in it any encouragement to interfere with the action of those directly responsible to Parliament, he left to his

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Prime Ministers all possible discretion. His successor, M. Millerand, has probably learnt the wisdom of this course, seeing that he has not insisted on taking the share of responsibility he stipulated he should be empowered to do as a condition of his acceptance of the Chief Magistracy.

It is usual to ascribe the war largely to M. Poincaré's action in Russia at the time of its outbreak. The Russian Black Book gives a certain credit to this idea owing to Iswolsky's statements in his letters to Petrograd, but those who knew Iswolsky attach little faith to anything he said in these letters and whoever reads the correspondence carefully will soon see for what he was scheming. I do not accuse Iswolsky of unrighteous motives. He sought to save Russia from revolution but his methods belonged to a diplomacy devoid of any conscientious scruples. It may be that when the French diplomatic archives are published, as have been those of Russia and Germany, we may learn many unsuspected things. Meanwhile, for the best of reasons, I can attest that, when M. Poincaré was Foreign Minister before he became President, no statesman was more desirous than he for a *rapprochement* with Germany.

It is also usual to suppose that M. Poincaré is merely carrying out M. Clemenceau's policy of ruining Germany for generations to come. This is not my impression of his object, whatever its apparent consequences may be. On the different occasions after returning from Germany on which I have given M. Poincaré my impressions, he has always insisted on one point. He knows that in the ordinary life of States it is on the middle-class that the public treasury depends for the bulk of the revenue. He knows the state of physical distress in which the German middle-class is now living. The cause of the misery he holds, however, to be the influence of the powerful capitalists who disguise their fortunes, deliberately depreciate the currency in their own interest and are so strong that the weak Government responsible for Germany's obligations is unable to cope with them. He built great hopes on the action of Rathenau, and in July last year, when I saw him just after Rathenau's assassination, he told me how much he deplored a loss almost as great to France and Europe generally as it was to Germany.

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And now, having endeavoured to outline the influence of the personal factor in M. Poincaré's policy, I shall try to account for a policy which seems contrary to the spirit of the man. I have rather vaguely, it is true, suggested that M. Poincaré in his Ruhr enterprise may be carrying out a policy not really his own, but one possibly due more particularly to those responsible for the national defence. There are other explanations, and perhaps not the most remote is to say that "the war on the Ruhr" is really part of a campaign in which England almost as much as Germany is the ultimate butt.

We must remember that Frenchmen feel that England is behaving shabbily to them over the war devastation. France has had to advance the whole of the money necessary to repair damage done almost as much by her Allies as by the enemy. If Germany had been able to pay the stipulated indemnity, no question would have arisen and, if it had been anticipated that she would not, no doubt England would have regarded it as only just to France that she should shoulder the burden of repairing what she had destroyed (e. g. St. Quentin, Bapaume, Peronne, Lens, etc., etc.), subject of course to her right to reclaim from Germany. The grievance is not got rid of by shutting one's eyes to it and, till the matter is taken up seriously, there will be no rest in Europe, for at the back of all the present turmoil is this fact that France is bearing the whole brunt of the reparations over a war area which happened to be in France but was just as much that of her Allies as of herself.

M. Clemenceau was too keen on his policy of ruining Germany to think of consequences to France, and he overlooked, to the advantage of his more skilful English colleague, what a wiser and more experienced statesman would probably have made a contingent provision of settlement, viz. that, if Germany were unable or did not pay, England would make good her proportion of the damage.

Hence M. Poincaré's constant insisting on the necessity for France of obtaining the whole of her outlay from Germany and his refusal to discuss any proposals to accept less. Thus at the back of Germany there is a covert struggle in which the real parties are France and England.

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There are still other reasons, M. Poincaré has given them, for the occupation of the Ruhr. From a legal point of view his action is difficult to justify except by straining the sense and even the wording of the treaty. That the area of occupation defined in the treaty itself be extended at all is a violation of its terms. So long as M. Poincaré defined his position as one of reprisals under Section 18 of Annex II to Art. 244, he could contend that he was covered by the treaty's ambiguity, but since he has assumed the position of remaining in occupation until fulfilment by Germany of her obligations, he is in unquestionable conflict with the treaty.

Thus, the situation on the Ruhr is one of belligerency. The invasion and occupation constitute a state of war. Every State has the right to force adjustment of its grievances by war, especially if it has reason to believe that it thereby anticipates acts of war against itself, and every country attacked has the right of defence.

M. Poincaré has never, so far as I am aware, publicly confessed to any fears of immediate aggression he may have had. Nor has he confided any to me; and yet circumstances are such that one can very well piece them together and find further reasons for M. Poincaré's action which seem at any rate plausible.

It must not be forgotten that a sort of treaty of alliance exists between France and Poland. Its terms may not be as far-reaching as were those of the Franco-Russian military convention, but they bind France in sufficiently wide terms to make events affecting Poland of the greatest importance to France.

Now, at the time of the Ruhr invasion last January, the state of incipient war which for some time back had been disturbing the relations between Lithuania and Poland was becoming acute. This condition of things had grown worse through the partition by the decision of the League of Nations, last September, of the territory claimed respectively by Lithuanians and Poles, a partition to which the Lithuanians were not parties and to which they objected, inasmuch as the chief "bone of contention", viz. Vilna, under the partition was allotted to Poland.

Alongside this question, arising out of the contested territory, was another Lithuanian one. The only port geographically in-

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dicated as available for the needs of the State of Lithuania is Memel, which, before the Treaty of Versailles, was a part of Germany. Under Art. 99 of that treaty its destiny, with that of a strip of territory on the lower reaches of the Niemen, was left to the decision of the Allied Powers. Meanwhile, by a sort of *coup d'état*, the Lithuanians, impatient at a delay, the object of which they feared was deliberately manœuvred in the interest of Poland, seized Memel, and the Powers, confronted with a *fait accompli*, have practically allowed them to retain it. Poland seemed to be pursuing a policy which would have brought her nearer and nearer to Memel, a policy no doubt largely resulting from dissatisfaction with her position at Danzig.

This conflict of interests between Poland and Lithuania involved another Power, viz. Russia. The Baltic States before the war were the Baltic Provinces of Russia, from which they were separated without her consent. In this separation she has since acquiesced, but she may have done so only because the old Russian Baltic ports are in weak hands. Reval, Riga, Libau, these *quondam* Russian ports on the Baltic, were the only overseas issues of value for West Russian trade. Though Russia seems willing to respect the new *status quo*, it is obvious that any attempt to bring Poland to the Upper Baltic would weaken her position towards them. Memel, though not a port of Russia before the war, she no doubt regards as within the same sphere of interest, seeing that it is geographically a port of her ex-province of Lithuania. She also regards Vilna, formerly one of her great railway junctions, as belonging to her sphere of interest and she has not acquiesced in its being allotted to Poland.

We may, therefore, assume that if Lithuania, a small State with a correspondingly small army, was "showing fight" against a great military State like Poland, she had made more or less sure of having the support of Russia.

France's military agreement with Poland, in the eyes of her then rulers, was to replace *pro tanto* that which before the war had united her with Russia, for that Germany will seize the first opportunity to emancipate herself from the obligations of the Versailles Treaty no French statesman doubts.

A few months ago matters between France and Germany

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seemed to be improving. Commercial arrangements were being made with the cognizance, if not the coöperation, of the two governments. Suddenly the whole political atmosphere changed. The only plausible explanation of this was the danger which had arisen out of the Lithuanian-Polish quarrel and the possibility of Russian intervention. If Poland in such an emergency succumbed, this obviously might involve a very important revision of the territorial clauses of the Treaty of Versailles, a junction of German and Russian interests and a new orientation of German policy as regards France.

The fact that France seized any handy pretext for carrying out her purpose, that she endangered the Entente and acted as if the very vitals of French existence were at stake, give plausibility to the theory that France was forestalling the possible consequence of a victory of Russia over Poland.

Meanwhile, the situation in Eastern Europe has become less menacing, impressions concerning the efficiency of the Polish army have improved, Russia's aggressive tendencies seem less ominous, and Lithuania has her hands full of the Memel question.

There remains the fact that France owes England in round figures the equivalent of twelve milliards of gold marks. She owes almost as much to the United States. She has already spent some thirty milliards of gold francs on reparations out of her own resources. She is entitled to only 52 per cent of the sums to be recovered from Germany. It is seen that the offer of twenty or thirty milliards of gold marks, of which she would receive half, would have practically left her to settle the huge bill of reparations alone.

The obvious consequence to be drawn is that the question, of reparations, of British liability for a portion thereof, and of the interallied debts, will have to be dealt with together.

To point irony at M. Poincaré for his *outrecuidance* is just as misplaced as to abuse Germany for not being able to pay cash out of an empty till. A situation has to be faced in which the two nations which have the means will have to coöperate, if Continental Europe is to be helped on to her legs again.

THOMAS BARCLAY.

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SIGNIFICANCE OF THE IRISH FREE STATE

BY W. P. M. KENNEDY

THE creation of the Irish Free State is one of the most significant facts in modern history—significant for the British Empire, for political science and for the world at large. Its political organization is also of remarkable interest. Not only is the first great constitution of the modern world—that of the United States of America—laid under obligations, but constitutional developments elsewhere have been incorporated in newer and more democratic forms, and the thorny domestic problems of a second chamber and of associations within the State have been faced with such boldness and courage that other international groups will watch with interest the issues raised by the unequivocal political faith of the Irish people. My object in this article is to view with objective realism the creation and constitution of the Irish Free State and to attempt to study them as political phenomena apart from the immediate and remote history out of which they arose.

The Irish Free State was created—or recognized—by treaty signed, December 6, 1921, by plenipotentiaries representing it and Great Britain. This Anglo-Irish treaty admitted the Irish Free State into the "Community of Nations" forming "the British Commonwealth of Nations" and gave it the status of the Dominion of Canada. Canadian development further colours the document. The regulations governing the office of Governor-General, the future relationships with the Imperial Parliament, the powers to legislate for "the peace, order and good government of the Irish Free State", are all related to Canadian conditions today and are to move forward *pari passu* with Canadian evolution. The oath provided for members of the Free State Legislature is of momentous importance. They are to swear "true faith and allegiance to the Constitution of the Irish Free State", and that they "will be faithful to H. M. King George V,

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his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations". Such are the most important and fundamental elements in the treaty and they need careful examination.

First of all is the fact of the treaty. The Irish plenipotentiaries received their full powers from the Irish people, not from Great Britain either directly or indirectly. Without constitutional antinomies, without conditions laid down by the British Foreign or Colonial Offices, without antecedent preliminaries necessary for the recognition of an abnormal international situation, without meticulous straining of current theory,—all of which are present when Canada negotiates a treaty,—the Free State plenipotentiaries met, as entirely equal, those of Great Britain, and brought with them an authority to act derived from the citizens of the future Free State. The causes lying behind can be explained in a thousand and one ways and can be examined from many different angles. The fact, however, remains that the treaty is not another concession to organized group life at the end of a colonial development,—for the Irish Free State was never a British colony,—but is a recognition at the very least of an age-long Irish aspiration and ideal, or, if the historian prefers it, the belated harvest of the Irish nation recognized in 1416 at the Council of Constance. The Irish Free State in its own inherent right entered the British Commonwealth by treaty, agreed to with an equal, signed by its own plenipotentiaries and later confirmed by its legislature.

Secondly, the Irish Free State takes over the entire Canadian status. It has not to go through Canadian experience—the debates over sovereignty, over fiscal policy, over treaties, all the growing pains of progress from colony to nation—but the Free State brings its own sovereignty, recognized fully by the fact of the treaty, and limits it, if you will, by entering the "Community of British Nations", as each of the Thirteen Colonies did at the formation of the American Union. This adherence on the part of the Irish Free State has lifted that Community to another plane. In no other case has a Dominion entered by an inter-

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national treaty, and the protestation of equality among the British Nations so frequently emphasized for Canada by Sir Robert Borden has at last received formal recognition for one and all by the Anglo-Irish pact. The Free State is the political equal of Great Britain. Its legislature, its executive, its judiciary are in no sense inferior, and they derive not from the gift of a sovereign foreign parliament, but from the organized political will of the citizens of the Free State. Those citizens have surrendered certain spheres of authority—or rather pooled them in the Commonwealth. The fact is that they were a surrender. Canada achieved them. The Irish Free State gave them: otherwise the treaty is in form and manner meaningless and absurd, "a scrap of paper".

Thirdly, the oath is the most remarkable recognition of a new state of affairs. "Allegiance" is still sworn, but not that allegiance redolent of autocracy or clothed in the trappings of hereditary monarchy, formal and powerless though it may be. Great Britain is not the "mother country" of the Irish Free State and allegiance is sworn to the Constitution of the Irish Free State, itself as we shall see the creation of the Irish people as much as that of the United States is the creation of its citizens. To the King and his lawful heirs "fidelity" (not allegiance) is sworn, and that fidelity is in the treaty itself solemnly pronounced to be a consequence, not of indefeasible right or of parliamentary power in the Crown to claim or demand it, but of Great Britain's common citizenship with the Irish Free State in the British Commonwealth of Nations and of Great Britain's membership of and adherence to that Commonwealth. The Crown thus takes its place in an international document as a formal link between nations, and Free State fidelity to the Crown depends not on allegiance but on the permanence of the Community of Nations and on Great Britain's continued common citizenship in it. That oath is one of the crowning triumphs of political science. It is magnificently realistic. It gives domestic and international recognition, in solemm form and in sealed and plighted faith, to the *obiter dicta* of the Imperial Conference of 1921. When Mr. Lloyd George then said that the Dominions had been "accepted fully into the comity of nations" and that they were "equal

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partners in the dignities and the responsibilities of the British Commonwealth," and when the Conference closed by expressing its "unanimous conviction that the most essential of the links that bind our widely spread peoples is the Crown", the words lacked political power and force. The oath in the Anglo-Irish treaty has supplied the defects. The citizens of each Dominion owe allegiance to their organized group life expressed in their political institutions, and they owe formal faith to the Crown as long at the Commonwealth lasts, with Great Britain as an equal member. The oath is the statement in different words of what I conceive to be the strict interpretation of the Covenant of the League of Nations—the Dominions guarantee the territorial integrity of each other and of the Commonwealth, and the Irish Free State is bound to the Commonwealth—as each constituent nation is also bound—on the mutual coherence of all the British nations, symbolized as an entity by the Crown, in whose name the Dominions signed the peace treaties. I need hardly add that foreign relationships are of course still governed by the conditions which I recently outlined in THE NORTH AMERICAN REVIEW.

Lastly, the Irish Free State is recognized as sovereign over the drawing up of its own Constitution. Of all the British nations, Great Britain alone possessed such power. All the other Dominions depend for their constitutions on Acts of the Imperial Parliament. The Irish Free State has made its own. Its Constitution has been given to it by the formal act of its own Constituent Assembly, confirmed by its own legislature and not by a suzerain Government. This Constitution is within the ambit of the Anglo-Irish treaty and is limited within its clauses—the limitations bind Great Britain as well as the Irish Free State. Both high contracting parties have given the Constitution the form and force of law—the Irish legislature passed it and the legislature of Great Britain passed it. The latter fact, however, does not give the Constitution any constitutional strength. It is a schedule of an Imperial Act, not an imperial enactment, and the Act which incorporates it as a schedule distinctly states that it was passed to give legal status to the treaty and Constitution for purposes of legal interpretation in case supposed treaty rights are

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violated and the courts are called on to decide. As far as the Irish Free State is concerned this has not a constitutional but a judicial significance. The Halibut Treaty will be implemented by legislation both in Canada and in the United States, but the constitutional position in the treaty of each contracting party is not thereby hurt. The binding force of the Constitution depends on the fact that the Constituent Assembly of the Irish Free State drew it up. It is a free act, as much as the Constitution of any State in the American Republic is a free act—both work with limitations, one the Anglo-Irish treaty, the other the Constitution of the United States. This creation is most remarkable. It is the act of a sovereign people to draw up and impose a constitution—a high act of state, and it has lifted the sister nations to the plane of sovereign action. The fact of real sovereignty in each is solemnly recognized. The Irish Free State receives the status of Canada. We may now reverse it and say that Canada receives the status of the Irish Free State.

It would be interesting to examine in detail the Constitution of the Irish Free State, but in an article of this nature there are necessary limitations, and it is only possible to run through its clauses quickly and to point out some of their most outstanding and important provisions. Before doing so, we must once more recall that the Anglo-Irish treaty is, by the Constitution, made with it the "supreme law of the land", and that both must be construed together. With this in mind, we at once miss in the Constitution any preamble usual in the Constitutional Acts of the other British Nations. The Irish Free State is not "hereby" constituted a Dominion or Commonwealth or Union "under the Crown of Great Britain", and its fundamental law and organized life, legislative, executive, judicial, do not flow from that fact, but directly and explicitly from the people. Depending on the popular will as in the United States, and following the United States—but differing from all other constitutions in the British Commonwealth—the Constitution contains clauses in which its creators lay down their fundamental rights which are indefeasible. The people are guaranteed their language, their democratic status, liberty of person, *habeas corpus*, inviolate homes, freedom of conscience and religion, freedom of speech and of assem-

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bly, freedom from martial law where civil courts are operating, and to these are added three other fundamental rights which bear witness to the modern age:—the people reserve to themselves from the processes of ordinary legislation the inalienable possession of their natural resources; the right to free elementary education; and, most important of all, the fundamental right "to form associations". This latter right is the formal recognition in a modern constitution that the political aspect is only one of many aspects in the life of a citizen. Indeed this fact receives further recognition. The Constitution provides that the National Assembly may create "Functional or Vocational Councils representing branches of the social and economic life of the Nation", and thus furnishes us with an interesting illustration of the fact that the functional aspect of citizenship is gaining ground at the expense of the old all-embracing political theories of party politics. The underlying idea is clear: so to protect and organize the social and industrial life of the nation in its various groupings that the higher life of citizenship may not be warped. The daily happiness of the people is linked with basic fundamental political rights. The people, thus guaranteed and protected, are the democratic foundation on which the whole Constitution is reared. They next proceed to create in persons and institutions the necessary administrative machinery, guarding carefully their initial fundamental rights and fencing as they proceed each field of organization.

From the fundamentals, it is interesting to note, the next step is legislation—the creating by the people of a law-making body for the people. There is no process downward from "the executive authority shall be invested in the Crown", as in the constitutions of the other Dominions. The process is upward from the rock from which the whole Constitution is hewn. A National Assembly is created of two houses—a House of Deputies and a Senate. The former need not detain us, as it follows all modern democratic lower houses—but it is to be elected by proportional representation and the universities are to be represented in it. The Senate is much more interesting. Why did the Irish Free State create a second chamber? Obviously it could not fulfill the function of the Senate in the United States. Obviously no sane man wanted to erect another hereditary house. We may

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assume too that no one wanted a nominated Senate after the manner of the Canadian Senate, which is based on no conceivable political principle and fulfils no conceivable political function. Nor did the Irish people wish a revising chamber popularly elected from among popular candidates to re-do or undo what elected popular Deputies had already done. They aimed only to include in the Senate "citizens who have done honour to the nation by reason of useful public service or who, because of special qualifications or attainments, represent important aspects of the nation's life". To attain their end they have constituted the Irish Free State as one constituency, and there is a panel of candidates chosen every third year (when a fourth of the Senators retire) by the Chamber of Deputies and the Senate, and consisting of three times as many names as there are vacancies. The names are placed on this panel after written proposals in which qualifications—intellectual, economic, social, institutional—are set out, and the final list is made up by the Chamber and the Senate, each voting its defined number according to the principles of proportional representation. This final list is then issued to the Free State as a whole, in alphabetical order with the full qualifications set out which would commend the candidates to the suffrages of the people, who make their choice by proportional representation. No second chamber in the world is chosen in such a way, and if anything like success attends it, democracy will have learned how to use in the service of the state the highest gifts of citizens.

Such are the two chambers. Their relationship is clearly defined. The Senate cannot interfere with money bills, and it can in other respects only delay action. It cannot tie up a bill for longer than nine months. But it is an elected house as much as that of the Deputies and it is not meant to be futile. It is a vehicle to give the people a final say. Thus, any bill passed or deemed to have passed can be held up for ninety days on a vote of two-fifths of the Deputies or of a majority of the Senate, and the bill thus suspended must be submitted to the people by referendum if before the expiration of the ninety days three-fifths of the Senate demand it, or one-twentieth of voters on the lists. The decision of the referendum is conclusive. This power of the Senate

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is noteworthy. Not only is the Senate so organized as to be representative of the best brains available, but it is the means of compelling, if necessary, direct reference to the people. A second chamber so organized and with such power is of far more value than if it could obstruct legislation or render it ineffective.

Provisions are made for constitutional changes, for legislation by the initiative and referendum, for the creation of subordinate legislatures, discussion of which space forbids. An important provision looks innocent enough, as on the surface it is just the statement of what is a fact in Canada: the Irish Free State shall take no active part in war without the consent of the legislature. That is true of Canada, but the Free State has this further protection that with the system of appeal to the people just outlined the legislature cannot be overawed by the executive and hurry the nation into war without direct *ad hoc* popular approval.

The executive follows more or less the traditional British lines, but here too we might note important developments. The President is not the choice of a political caucus like the President of the United States or the Prime Minister of Great Britain, nor has he the power as the former undoubtedly has and the latter in fact has to choose his colleagues. He and his colleagues are the direct choice of the Chamber of Deputies. The executive must retire when it loses the support of the Chamber, as in British custom, but its retirement need not mean the dissolution of the Chamber; an executive which has lost support among the Deputies cannot advise a dissolution. This is a distinct advance. Many times has the House of Commons in England been whipped into obedience by a Premier with a threat of dissolution. The Free State Legislature cannot be dissolved as in Canada merely on the advice of the Executive. The Governor-General must make certain that the legislature wishes to be dissolved before its constitutional term has expired. Here we see an executive chosen by the Deputies, responsible to them, their servant not their master. Perhaps it may be the destiny of the Irish Free State to rescue cabinet government from some of the contempt which has gathered round it in the British Commonwealth.

In one important point the Constitution is very weak. Appeals are retained to the Judicial Committee of the Privy Council, not

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merely in civil and criminal cases but in constitutional cases as well. I cannot conceive that this will last and I feel certain that the Irish people will include this for change in the earliest possible constitutional amendments. Even in the palmy days of "the ascendancy" the Irish judiciary crowned itself with independence of judgment in Wolfe Tone's case, and it has always been among the most brilliant and honoured in the world. Irish Free Staters will not long allow their lawsuits to receive final decision in London. Doubtless the clause was included in a hurry and with the fact in view that the Constitution might need from time to time interpretation in relation to the Anglo-Irish treaty. This might account for a temporary provision in constitutional cases of a certain nature; but nothing disclosed will cover the more or less comprehensive right of the Privy Council to grant leave of appeal. It seems to me that the civil and criminal suits of the Irish Free State must be decided finally there, and also constitutional cases where the treaty is not in question. Where the treaty is in question, a panel of British and Irish judges must be set up.

I need not emphasize that as it stands the Constitution is only a machine and nothing but ceaseless vigilance and increased education can make it of value to the people. They have made it. They can unmake it. They can mar it. They can galvanize it into a life of richness and achievement. A fundamental document may soon become an interesting heirloom, and may have no market value in the marts of human progress. It is only useful as a frame for development, to be cast away, redrafted, as each generation of men brings the harvest of its achievement to the granary of human endeavour. As it stands, it is a noble document, based on the people, reflecting their hopes and aspirations, and giving us, in these latter days when at times the lamp of faith burns dim, a hope and an inspiration that in the iron bands of liberty the Commonwealth of British Nations may achieve high and glorious purpose, that sovereignty may take on its real and true meaning, and that in interdependence and union the political groups of the world may find the guarantee of realizing the highest and noblest in their peculiar community organizations.

W. P. M. Kennedy.

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SELECTING CITIZENS

BY CORNELIA JAMES CANNON

In most countries of the world citizens are produced by the mothers of the country and are perforce accepted. We have many citizens so produced and so accepted, and we take them with a good grace. But we have other citizens produced by mothers in other countries whom we are asked to absorb enthusiastically, and we have begun to gag a bit over the size and quality of the dose. Is it simply that the food is strange and alien, or does it possibly contain poisons against which we have no antidote?

For a generation we have had a production mania. New coal mines, new oil wells, new irrigation systems, buzzing factories in every hamlet, cities passing the million population mark, the upper air darkened with flying machines, have all been regarded as signs of healthy Americanism and a proper contribution to the carrying out of divine purposes. We have shown our sympathy with this national ideal by denuding the forests, recklessly bestowing the public lands upon the first comer, and giving away mining rights and water power for less than a song. To speed the process even more we have opened the doors of the country to a flood of immigrants designed to perform the actual physical labour of developing our resources under our own superior leadership.

Every year for decades hundreds of thousands of men and women, reared under other flags than ours and imbued with the ideals of other countries, have come to our shores. They have been content with a bare subsistence wage; their standards of living were low, and they were impressed into the rough and heavy work of the land. Their children, however, were brought up in the atmosphere of America; they went to the public schools and had glimpses of how other people lived. Indeed it has been our boast that in this land of opportunity the son goes up one

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round higher on the ladder than his father. Our human-producing machine has been manufacturing nurses of domestic servants stenographers of factory girls, teachers of the daughters of tradesmen, clerks of hod carriers, mechanics of miners, and college professors of farm hands. We have not been unduly inconvenienced by this practice, for the silent thousands from across the seas have poured in to take the places of those who have moved up.

During the years of the war, however, the flood of immigration was reduced to a trickle, for the citizens of the European nations were needed at home. Since the war the trickle has increased to little more than a wayside brook, as a result of the restrictions we have put upon the numbers who may enter the country. We are therefore left with few to do our work except our own citizens.

How much of a success do they make of it? Employers all over the country complain of a shortage of unskilled labour, a shortage of apprentices to the skilled trades, and a reluctance on the part of the young people entering industry to undertake this type of work. They complain that the imperative need of exploiting our national treasures is halted by this ominous lack of the tractable foreigner.

The suggested ways out of this difficulty are as numerous as the alarmist orators who discuss it. The favorite panacea is opening the gates of the country to the workers of the world. (This desirable immigrant group is, however, always denied the distinction of having its title capitalized.) The theory upon which the recommendation to let down the bars depends is that the main function of this country is the creation of a gigantic producing machine, a machine which shall be the largest and most effective in the world. The idea that our claim to the gratitude, or perhaps even the memory, of succeeding generations, may depend solely upon our ability to build up a great democratic society, independent of the number of miles of sewer we dig or the number of automobiles we put together in a day, seems to be out of the picture.

If these advocates of the importation of docile and cheap foreign labour took a little longer view, they would see that, far from solving the problems which they recognize today, they would be inviting much more serious complications in the future.

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If the boys and girls who are educated in our schools refuse to have anything to do with labour, what chance is there that the children of the millions we are urged to bring to our shores in the next ten years will learn any different lesson? If their offspring in turn insist upon joining the ranks of the white-collared, we shall have to multiply the millions to be imported from other lands to do the heavy labour for their children as well as for ours. Where would such a process end? The logical conclusion is that when our land is so full of individuals, educated in American schools, that there will be no place to wedge in ignorant foreigners to do the work for them, our civilization will inevitably collapse. We should all have become such perfect ladies and gentlemen by that time that we would inevitably freeze and starve for lack of the humble of other lands to warm and feed us. The assumption in the minds of these pseudo-economists is that the American's distaste for manual labour is stronger than his instinct for self preservation.

Why must we postpone the eventual day of reckoning? Why not assume that the problem must be solved with the population we have today, with no prospect of additions save such as come from home production? There seems no reason why we should not be a "self-contained" nation as are other nations. We have too long allowed ourselves to be stampeded by the American industrialist, and have risked the lowering of our ultimate quality as a nation by making concessions to keep our factories running day and night.

In the first place, whence comes the theory that second generation Americans have an inherent aversion to manual labour? Those of us who go camping in the summer or who live in simple country homes find ourselves able and willing to do with equanimity all the skilled and unskilled work that ordinary living requires. Many of us, who have been educated in the public schools and are thus assumed to have developed abhorrence for such activities, begin, during the summer vacation, to suspect that our *métier* is garbage and ash collection, waste disposal and hoeing, with carpentering, painting, plumbing, and occasional plastering and bricklaying thrown in as side lines.

If, in the second place, the shortage in these fields of human

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achievement continues, as it bids fair to do, until the pay of the plasterer approximates that of the bank president, the skilled trades will return to the position of dignified social recognition they received before the influx of ignorant and helpless foreigners. The fact that in the recent past such work has been relegated to the classes accorded neither full social nor civic fellowship has brought the work itself into a category of disrepute which made the children of the workers in turn unwilling to engage in it. It was not that the work itself was necessarily unattractive; nor that it failed to present itself to the eye of imagination as a worthy form of service and means of livelihood; the difficulty has been due to the fact that certain types of labour have been regarded as the special province of the foreign-born upon whom the philistine American looks down. As a result manual labour has acquired a fictitious inferiority in the minds of the ordinary unthinking person. To continue the very conditions which have produced the revolt against hand labour by opening wide the gates to the immigrant only postpones the day of real adjustment, and enormously multiplies the difficulties.

Meanwhile there are many ways of making the head save the hand which have not yet been tried. To be sure nothing seems more inevitable than that the supplies of coal and oil now in the earth will be exhausted within a measurable time. When that happens we shall be left with water power as possibly our sole addition to the man power which has indeed, unsupplemented, managed to keep the Chinese civilization going for a good many centuries. A whole new world of adjustments will then have to be made, certainly a complete reorientation toward the place of manual labour in human society. But so long as the energies of the sun remain easily accessible to us in the huge storehouses beneath the surface of the earth, we can put off that day of fresh adjustments, and more and more substitute machinery for hand labour. Our education will train the minds of our citizens to direct these unquestioning mechanical slaves of the human will.

Our inventors have brought their intelligence to bear on the problem of a shortage of workers by developing new and undreamed of types of labour-saving devices, so that no country in the world now uses machinery to the extent that we do. Could

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there be a more rational solution for many of our difficulties? Undoubtedly as the proportion of unskilled workers in the community grows less, assuming that we hold to our present restriction of immigration, the use of machinery will increase. If we can but make a wise use of the release this will bring us, leisure and the resulting opportunity for enrichment of life will extend in a constantly widening circle.

The pressure for fresh supplies of foreign labour recurringly insists that we have nowhere near so large a population as our territory can support, that we must be constantly growing if we wish to prosper, and that there are waste places to be filled, deserts to to be watered, and hills to be cut down before we can call ours a finished country. The simple lover of his native land may wonder what is the hurry, may even acclaim the glory of the imperfect, but he is brushed aside by the enthusiast for efficiency. One fundamental seems to be lost sight of by these special pleaders. They ignore the part the waste places of this country play in the spiritual life of the nation. The mountains, the deserts, the unbroken prairie, are an asset to every man, woman, and child in the United States, a treasure whose value cannot be reckoned in dollars but is evidenced in the whole spirit and outlook of our people. We are under no compulsion to populate and utilize these unappropriated lands. Their very presence endows us with optimism, with faith in ourselves, with an enlarging sense of opportunity. They protect our young men from the shutting down of life, the narrowing horizon which accompanies density of population. The consciousness of ample physical background enables us to preserve an ardency of hope and confidence, that at its worst is no more than over-enthusiasm, and at its best is the power that can reinspire a weary world.

The filling up and harnessing to production of the rest of this country would represent a gain in taxable property undoubtedly, but it would mean irreparable loss through a closing in of the possibilities of life to our whole nation. Our waste places are the source of much of the radiance and youth, of the optimism and generosity of our people. Once they are lost to us, age and the inward look will be upon us.

Confessedly imperfect as our present immigration laws are,

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especially as to the quality of individual admitted, their very effort to reduce the numbers admitted represents the greatest social advance of the last decade. It is to be hoped that the next few years will show not only a further reduction in actual numbers but a much more rigorous selection. We have counted in the past upon a rapid disappearence of the immigrant in the general population and his complete absorption in a generation. This did happen in the early years of the nineteenth century when the immigration was of closely allied racial groups. But of late years the amalgamation seems not to have taken place at all, or at such a slow pace that it has failed to counteract the mounting influences of racial separatism. With the increasing diversities of race, religion and language, represented by the immigrants of the past twenty years, the melting pot has almost ceased to function.

Is there any sound biological or sociological basis for making the selection of our future citizens out of the thousands of aspirants? There is no problem more in need of the cool impartiality and objectivity of the man of science to clear away the mists engendered by prejudice and fears. There are, however, certain generalizations we can make, subject always to the corrections of the scientist, and certain conclusions we can offer as working hypotheses.

As an essential preliminary we must recognize that immigration is not different from the great movements of peoples we see dimly in the background of all the historical civilizations. They no longer come, like the hordes of old, on horseback, fantastically dressed in skins, brandishing spears and uttering strange war cries. But they come in far greater numbers, vermin infested, alien in language and in spirit, with racial imprints which can be neither burned out nor bred out, packs on their backs, leading little children by the hand. And like the hordes of old they are destined to conquer us in the end, unless by some miracle of human contriving we conquer them first.

Some of them represent types insensitive to the stimuli of cultural civilization. In the animal world the amœba must have existed unchanged for millions of years. It is not a degenerate type for there is nothing more primitive in the animal creation,

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but it has remained untouched by the influences that have played upon it from the beginning. Our knowledge of man covers too brief a period to allow us to dogmatize, but there are certain races that show a somewhat similar incapacity for growth and development, even under conditions which produce marked alterations in other races. So far as we can judge the Tartar is a race which has always been barbarian. It has been a virile and predatory race, but has never developed a civilization worthy of the name. The infusion of its blood has doubtless hampered and retarded the development of the Balkans, and it has been only China's extraordinary capacity to conquer her conquerors which has saved that country from the blight of the Manchu. The Mexican, the South Sea Islander, the African negro, belong to a similar category. Are we not justified in exercising discrimination before adding such strains to our racial blood?

We have questions to ask of the biologists, which they must some day answer for us. Can we, with a very diverse human stock which has no stable uniform base, construct a society with a homogeneous spiritual and moral quality? Western civilization grafted upon the Japanese has produced unlovely fruit. The Occidental mind may have developed antitoxins, natural to its growth, which save it from being thus poisoned by its own civilization. Do the different races of the Occident have likewise each a capacity to absorb without harm the ideals which they have generated themselves, accompanied by an inability to absorb their neighbours' ideals without disaster? It is an historical enigma whether Mohammedanism spread only among those racially fitted to accept it; whether the European could have been appealed to by the teachings of Mohammed; and whether, if the Europeans had become Mohammedans, the religion itself would have been profoundly modified, or the people accepting it.

Similarly we must consider, not as idle speculation but as a matter of vital concern to our future, whether our civilization, with its distinctively Anglo-Saxon foundation, depends upon the presence in our midst of those racially akin to the founders, or whether the form of any society is independent of the mental, physical or spiritual inheritance of its members.

We have made a tentative answer to this question by exclud-

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ing the Asiatic from entry into this country and from citizenship even if he is here. This exclusion takes no count of the superiority or inferiority of the races involved. It does perhaps pay tribute to the intolerance of the inhabitants of the excluding country. We are confessedly unable to live happily and without dangerous friction with races so different from ourselves as the natives of Asia. The common sense decision is to eliminate so far as possible the causes of conflict. There is no ethical principle involved in the exclusion of the Asiatic; the matter is purely one of expediency. The ethical principle is called into play when the question comes of the treatment of the Asiatics or the individuals of any other race once they are admitted to the country. There expediency must subordinate itself to a higher imperative.

The exclusion from this country of any other race falls in the same category as the exclusion of the Asiatic. If the admission of any racial group complicates our problems or jeopardizes the success of the experiment in organizing a democratic society we are endeavouring to work out, we are perfectly justified, indeed obligated, to practice exclusion.

Some sentimentalists urge the wide open door on the basis of offering refuge to the down-trodden and suffering of the earth, and of relieving the congestion of Europe. We have however a responsibility to our children and to those who are already here superior to the claims of any other human beings. The possible menace potential citizens might be to us must carry more weight in our decisions than the suffering of those same individuals as the result of conditions over which we have no control, and for which we are not responsible. Any hope of relieving the congestion of Europe by taking the year's surplus is a never ending task. We have never had any effect in reducing European congestion: the population of countries which have sent us large numbers of immigrants has simply increased to make up the loss.

There are certain races whose coming greatly complicates the situation for those of their race already here. This is particularly true of the Jew, who has already made so distinct a contribution to the intellectual and business life of this country, and whose ability has been recognized and rewarded. The presence in recent years of large numbers of that race, especially of those

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from eastern Europe, where the Jew is essentially an Oriental, in our big centers of population, has been accompained by a development of racial prejudice which is as unfortunate for the country as it is tragic for the Jews themselves. Those Jews who are already here, who have been admitted to this country and thereby made free of its rights and privileges, must be given every welcome, protection and encouragement. But for their sakes, as well as for the sake of a harmonious nation, we could to advantage practice a rigid limitation of that race in the ranks of immigrants. If we do not, it will be generations before we can hope that America will be any less intolerant of the Jews than the older nations of central and southern Europe.

Once in the United States, every man's rights must be rigourously safeguarded. This is no more than is demanded by intelligent selfishness. As Lincoln said, "Those who deny freedom to others, deserve it not for themselves, and under a just God cannot long retain it." But as we keep out certain plants and animals lest they bring in physical disease, we are equally justified in excluding those who may bring in social disease. Our civilization is complicated enough and full enough of obscure pitfalls of misunderstanding to make us wary about introducing any more unassimilable elements than we can help. We must not make it so difficult for our citizens to defend the rights of their fellows that the very society these rights are designed to safeguard is jeopardized. It may be heroic to attempt an impossible task, but it is far more intelligent to make conditions favourable to achievement than to tilt at windmills in a burst of quixotic idealism.

We must practice a rigid exclusion of any groups whose value to us is problematic. We must practice a rigid selection of individuals of any race we do admit. Above all we must adopt into our civilization those who are now in our midst, and must adapt our industrial and social life to their amalgamation and to the carrying on of our national life without need of futher accretions from other countries. Only so can we hope to preserve the best of the institutions which have come down to us from the founders of the Republic.

CORNELIA JAMES CANNON.

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RECENT ADVANCES IN PHYSICAL SCIENCE

BY ELLWOOD HENDRICK

In considering the advancement of physical science during the last decade we shall, for lack of space, confine ourselves principally to a few outstanding features of physics and chemistry. We must also bear in mind that about seven years should be eliminated, owing to the war. The war was a retardent, not a stimulus, to progress. True, in the application of what was already known there was developed an extraordinary pressure in some respects, but fundamental work in research is still backward; it has not caught up with the pace of peace. The world is still sick, very sick, from the effects of the war.

Unless we can develop a reasonable faith in humanity and goodwill and sound character to receive and apply the advances of science, our increased knowledge may become a curse rather than a blessing. A child, for instance, may know that by pulling the trigger he will discharge a loaded pistol, but this knowledge does not make him a safe custodian of the pistol. The greatest need of science to-day is not the invention of a light motor to use the sun's rays for energy or power; its greatest need is a renaissance of character among the people of this distracted earth; a renaissance of that quality of character which recognizes obligations as an honest man recognizes his debts, and of the quality of faith that gives us the desire and the courage to help instead of to hide. We seem to have sloughed off these attributes shortly after the armistice, and they have become too scarce for the health of any civilized nation. The slowing down of scientific progress therefore may not be an unmixed evil.

In Great Britain there is real progress under way in pure science. Excellent provision has also been made for industrial work, and it remains to be seen how sincerely British industry will adopt scientific research as a necessary part of itself. Young men of a superior class are addressing themselves to science in England and Scotland.

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In France the Government has done the very thing that men of science have been wishing for in this country, with rather curious results. Eminent professors have been called to political office, and their advice is sought on every hand. Their attendance at meetings and conferences and sessions and in the scrutiny of lists of one sort or another, bespeaks so much of their time that one comes to regret the consequent loss of so much good teaching and research.

The Scandinavian countries, Switzerland and Italy, have been scientifically active for many years, and they are keeping up the good work. Copenhagen has become an important headquarters for chemistry and physics.

In Germany there is a great deal of research going on and often it is prosecuted under serious difficulties. The professors are among those who suffer most from depreciated currency, and yet they and their fellows in research keep at it persistently. Often matters of great scientific moment are held in check for lack of a few dollars with which to buy apparatus. The industrialists, on the other hand, know better than those of any other country the value of research, and they, being wealthy, maintain their laboratories. Owing to the low cost of scientific work in Germany, due to the exchange situation, there is considerable research being carried on there for foreign account.

In the United States excellent work is in progress at many university laboratories, and still more is under way and coming out of the great research foundations and industrial establishments.

Great advances have been made in wireless transmission of sound. This is an outcome of intensive research in those very electrical industries which have been under scientific control from the beginning, especially in this country. Within the whole field of telephony the United States leads the world, not because of capital or business acumen, but because of constant, persistent, intensive research from the very beginning, which nothing was permitted to halt.

Another step forward has been the transmission of electric currents, which bids fair to extend the scope of usefulness of power plants.

We cannot separate science from industry. Not only chemis-

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try and physics and all the mathematics of engineering are involved in it, but so also are psychology and medicine and hygiene in relation to occupational diseases and nervous disorders that follow a stupid administration of work that addresses itself solely to the problem of reducing costs.

The art of flying has been developed for more than ten years through the combustion engine, but it is still dangerous and expensive. The helicopter model, enabling the pilot to rise and land vertically, promises to eliminate many dangers. This is still in the experimental stage.

Automobiles have been improved somewhat. But they are still driven by very wasteful engines. One gallon of gasoline has the energy to carry an ordinary Ford car 480 miles—and we get about 16. We are facing a problem of petroleum depletion, and we must hurry to conserve it better than we do. One of the reasons why more economical engines are not designed is because of a tendency of the liquid fuel to "knock" as a result of too rapid combustion. This occurs under too high compression, and engines therefore are designed to operate under low compression. High compression would be far more economical—but the racket would be unendurable. Of late it has been discovered that the presence of a very small quantity of compounds of certain elements will decrease and even avoid altogether the too rapid combustion or knocking. This was discovered in an industrial laboratory at Dayton, Ohio, and complete avoidance of the difficulty was obtained by adding a very small quantity of tetra-ethyl-lead to the fuel. This substance has a molecule consisting of one atom of lead with the radicles of four molecules of grain alcohol attached. It is a heavy liquid. It will enable manufacturers to design their engines on higher compression of the gases and thus to operate more economically.

There is a great array of chemists—and patent lawyers—working away at the problems of "cracking" petroleum. The purpose here is to split down the molecules of heavier oils into lighter ones, to increase the gasoline output. It is doubtful if the world's supply of petroleum will last beyond one or two more generations. And liquid fuel has become a necessity. Therefore in addition to all the efforts at "cracking" now under way

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there are methods for the slower combustion of coal and the saving of the by-products including the light and heavy tar oils and ammonia. The excess of light tar oils would add to the liquid fuel supply. Efforts are also under way to get better effects from the complete combustion of coal. The question is still unsolved as to how the greatest amount of power may be developed from coal at the lowest cost. But we do know that our present methods are something to be ashamed of.

Research is in progress in Germany to produce liquid fuel by the addition of hydrogen to bituminous coal. It has not yet reached the commercial stage, but the outlook is interesting. It may become the final solution of the liquid fuel problem.

As the petroleum supply decreases, ethyl or grain alcohol may be used as a fuel by itself or mixed with petroleum bodies. Remarkable advances have been made in the United States in the alcohol industry, more particularly in the synthesis of other solvents from this material and in the production of absolute alcohol for chemical use. It is not within the bounds of economic possibility to-day to produce enough alcohol to satisfy the world's requirements for motor fuel. It may come later.

In iron and steel we have done wonders in mass production, but we have been rather laggard in research. For instance, just on the horizon, not here yet, but by no means given up, is a new method to produce iron. It consists in grinding the ore, heating it in rotary furnaces until the iron is separated from the gangue or non-metallic constituents of the ore at a temperature at which this occurs before the metal becomes sticky, and then cooling, segregating the iron particles by a magnetic separator, and finally organizing them into nodules. By this method the costs may be cut down in remarkable measure. Neither coke nor limestone is required. But the method is not yet developed in practice and nobody knows how many snags it may strike on the road. It may turn all our blast furnaces into junk within ten years, and it may not be available for a generation or more. The idea, however, is there. And practice has a way of following theory. Research is in progress in England, in France and in Germany. Many special steels of extraordinary strength, hardness, endurance, etc., have been introduced.

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In metals outside of iron and steel greater advances have been made. The ancient method of Egypt of making brass was in vogue ten years ago—but it has given way to the improved electric furnaces in which both zinc and the health of the workmen are conserved. Much work also has been done with the microscope in learning of the minute crystals and of the mechanical formations of the inner structure of all metals. It is also found that metals are like people. An amount almost infinitely small of a foreign substance will incorporate itself into its structure and act as a remarkable tonic, greatly increasing desired properties, while again other substances act as poisons and destroy these properties, just as a small dose of strychnine will destroy our property of life.

A new preparation of nickel, much purer than any now available, bids fair to become familiar before long. It is ductile and when plated on a prepared surface of iron or steel it forms an alloy with the latter upon which the metal attaches itself. This may be rolled out into thin sheets, thus providing a non-corrosive, always bright covering.

In foods the most remarkable advance has been in the discovery of the so-called vitamins which are nitrogenous organic substances, none of which has been separated, but which are required for the maintenance of life and health. Three types are known to exist: the fat-soluble A, the water-soluble B, and water-soluble C. Without the first children do not grow normally, and we suffer from eye-troubles. Without water-soluble B growth is inhibited and a disease of the nerves called beri-beri ensues. Without the third, water-soluble C, we suffer from scurvy. All three are found in milk, cream, and green vegetables and fresh fruits, the C being especially rich in citrus fruits. A glass of fresh milk and a good dish of salad will provide us with our daily ration of all three. Formerly it was held that food consisted in proteins, carbohydrates and fats. Now we know that vitamins must accompany them, although the quantity required is small.

Very slowly but surely, provided only scientific progress does not collapse through some social upheaval, we are beginning to get at the chemistry of nutrition. The processes of digestion,

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the breaking down of the complex proteins to the simpler amino acids, and the secrets of metabolism, are slowly coming to light. But until more is known it is dangerous to generalize.

A food industry that has made a marked improvement is bread baking, and this is distinctly the work of research. Baking was supposed to be a domestic art and the incidence of science was not recognized until about a dozen years ago. The requirement to make good bread of poor material during the war gave research a fresh start. Now there is a new lure to research, and that is to develop a loaf that shall be at once tasty and more nutritious than ever before, so that the public will unconsciously increase its bread ration at the expense of more costly foods. The bakers, with their American Institute of Baking at Chicago and their work in their own laboratories, feel that they are contributing to the general welfare beyond their own interests. Bread has been developed that is a complete ration. Many generations of white mice have been brought up on such bread with water alone, and they are healthy and strong. The same ration of bread and water, the former being the best of its earlier type, is incomplete, and the animals starve under it. The principal addition to the dough is milk, which may be dried to powder by the spray method and used when needed by the baker. The resultant loaf is tasty, white, wholesome, satisfying, and bids fair to cause bread, our cheapest ration, to be consumed in much larger quantities than now, while at the same time finding a use for our excess of wheat and the excess summer milk produced by the large herds needed to provide fresh milk in winter.

In the preparation of clothing the only advance of note has been the production of artificial silk. This consists in dissolving cellulose, which is that combination of carbon, oxygen and hydrogen of which cotton and linen consist, and pressing the jelly-like substance through very minute orificies, as though a colander, into a liquid where the fibres solidify and become so many fine threads. It is now made in immense quantities and has a beautiful lustre, but it is not strong. Here again we see possibilities of improvement, just over the horizon. In the Faser Institute at Berlin they have been studying the crystal nature of fibres and have reached the definite conclusion that cotton fibre is a true

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crystal of cellulose. Now artificial silk is not crystalline; it is a colloid. That means it is composed of indefinite groups or bunches of molecules of the substance, that appear to be held together by opposed forces within each molecule. Their arrangement, however, is indiscriminate, and the substance is like so much glue. There is nothing orderly about it; nothing of a fixed arrangement of atoms and molecules to hold these together, as in a crystal. But suppose true silk fibers should prove to be crystalline; then a method might be discovered to cause artificial silk to crystallize out of solution. Then we should have a new and improved industry in textiles.

One of the most important industrial and social demands of today is to keep up the paper supply. At present we are denuding our spruce forests at a rate that cannot last many years longer. Paper is a cellulose felt. Besides cotton and linen fibres, the walls of the cells of all trees and plants are structurally of cellulose also. If we macerate clean cotton and linen rags until reduced to a pulp and then treat this so as to achieve the necessary hydration, it may be matted down into the finest quality of paper. But if we grind wood fibres mechanically against stone, the wood pressed against the revolving stone diagonally so that the fibres are pulled out rather than ground off, we have what is known as mechanical pulp, which makes the cheapest and least durable of all papers. News print, on which our daily papers are printed, is made of 80 per cent mechanical and 20 per cent sulphite, or chemical pulp. Although mechanical pulp is the cheapest today, water powers are becoming more and more valuable, and the numbers of the kinds of wood available for this treatment is so limited that the problem of how to secure news print for the future has become a serious one. The search has been made for wood having a comparatively long fibre, such as spruce. Hard woods have short fibres and are unsuitable for mechanical pulp. Chemical pulp provides for chipping the wood and subjecting it under heat and pressure to a cooking process whereby the lignin and other substances than cellulose in the wood are dissolved out, leaving the cellulose fibre in an approximately pure state. Of such are the sulphite, sulphate, and soda pulps. They are more expensive than mechanical pulp, but

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very much better because the cellulose is relieved of the impurities and therefore is more permanent.

Of late a new patented process for cooking with sodium sulphite has been introduced which shortens the cooking time, leaves the fibres strong and easily bleached, and makes the hard woods available as well as the soft ones. An excellent book paper is made for instance of hard wood, and the yield of pulp per cord is from 1500 to 2000 lbs. against about 900 lbs. to the cord of spruce. The economic importance is in cheapness of production, making a chemical pulp available for news print which will shortly be put upon the market, thus leaving water power for other purposes, and the fact that hard woods reforest more easily than spruce. It indicates the gradual movement of the major portion of the paper industry from the spruce forests of the North, where trees require many years to mature, to forest lands of the South where even oak and other hardwoods mature to pulp-making size in from fifteen to twenty years. A source of even more economical supply and probably of better paper, because of its long fibre, is available from bamboo, but this is not yet developed as a major industry.

A new type of substance has come into large use, that is known scientifically as synthetic resins or phenol condensation products, or more generally by the trade names of bakelite, redmanol and condensite. This is used in electrical insulations and as a hard, chemically inert substance in the mechanic arts, wherever durability, beauty of finish and perfect molding qaulities are desired. A prospective use of the material in the fine arts is in sculpture, for heretofore sculptors have had nothing for casting between plaster of paris and bronze. Nothing but research under a high order of scientific scholarship could have brought it about.

The most important field of applied science of to-day is the development of agriculture. This includes the social as well as the physical sciences. Indeed it includes the entire domain: chemistry, physics, biology, botany, plant and animal physiology and nutrition, to mention but a few of its demands—and agriculture does not pay well. Every effort is made to save agriculture and to advance it, but we are not getting ahead very fast. The farmer has all

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sorts of facilities at his beck and call, but hardly one in a hundred knows how to use them. And after he has grown his crops there are many middlemen passing on his produce to the ultimate consumer, each one exacting his tax, so that the consumer pays a high price for what he gets and the farmer receives very little for what he has produced. With the farmer on the border of despair as to how to make both ends meet, many of his kind give up the struggle and go into some other walk of life. If agriculture were an industrial institution, the immense store of miscellaneous scientific information available would be used. As it is there is a riddle in economics that must be solved which will provide for more direct relations between producer and consumer. Whether farming will become a great industrial enterprise carried on in large units with laboratories and chemists, engineers and botanists and biologists and test fields, warehouses, and truck lines, or possibly become a more specialized occupation carried on in smaller units, no one can tell to-day. It needs to be made attractive enough to bring the best minds to its administration.

The catalytic fixation of atmospheric nitrogen is steadily encroaching on Chilian nitrate as a nitrogen fertilizer.

The dividing lines of science are growing very vague. Nobody to-day can tell, for instance, where chemistry ends and physics begins. And the same holds true of other branches. Despite the apparent absurdity of the statement, it is a fact that the greatest advances in chemistry during the past ten years have been made in physics, while in biology the greatest advances have been made in chemistry.

In theoretical chemistry the greatest achievement has been in the study of the structure of atoms. It is almost definitely established that every known substance, whether solid, gas or liquid, and whether here on earth or in the starry heavens, is made up wholly of positive and negative charges of electricity. There does not seem to be anything else in all matter but these charges, positive and negative, or protons and electrons, as they are called. The hydrogen atom, which is the lightest known, consists of one proton and one electron. And the atoms of all the other 91 possible elements are made up of large numbers of this same pair of charges of energy, positive and negative, differently

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arranged. After hydrogen with its atom consisting of one positive charge and one electron the next in order is helium, with two positive charges in the nucleus at the centre, and two electrons to offset this, arranged some way around the centre. The third element, lithium, has three such positive charges at its nucleus, and a like number of offsetting electrons outside this. And so on, throughout the list, until we reach the heaviest of all, uranium, with 92 positive charges and as many electrons, the free positive charges always being in the nucleus.

The general impression is that the electrons revolve about the nucleus of each atom as planets about a sun, or that their orbits are more circumscribed. There have been two general theories propounded: one by Bohr, a Dane of Copenhagen, and the other by Langmuir, an American of Schenectady following out the original suggestions of Gilbert N. Lewis of the University of California.

Bohr uses the mathematics and mechanics of astronomy, and his atoms as originally proposed were highly satisfactory to the physicists because they conformed to laws already known. But the chemist could find no comfort in them, because they do not provide for combination among atoms to chemical compounds. The Lewis-Langmuir theory does not attempt to account for the laws governing the various free electrons of the atom which are assumed to have their average positions mainly at the corners of a cube. But it provides a working hypothesis and for the sharing of electrons in pairs by atoms that are joined together in molecules.

In the meantime Professor Bohr has developed a new system which is said to provide for combinations among atoms on the basis of solar systems. It is, however, too involved in higher mathematics for simple exposition as yet.

Another recent development in regard to atoms is the discovery that those of the same element are not, as we used to think, always exactly the same. Atoms in the same element always have the same number of protons in their nuclei, and an equal number of electrons outside each nucleus. The hydrogen atom being the lightest of all, let us consider its comparative weight as unity or 1. Then with the weight of the hydrogen atom as 1, why is the

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weight of the helium atom, which has 2 protons and 2 electrons, not 2? In point of fact it is 4. Lithium, with three of each, has a weight nearly 7, or 6.94. Nitrogen instead of 7 is 14, oxygen instead of 8 is 16, and uranium with 92 of each has a mass of 238.5. Where does this heft come from? That is due to the "packing" and the packing consists of hydrogen and helium atoms either in the nucleus with the free positive changes or else very close to them. It is in effect hydrogen and helium atoms that radio-active elements throw off. But the packing in atoms of the same element is not always the same. It appears that every atom has an integral weight, and that the fractions that we find in determining atomic weight are due to mixtures of atoms similar in all respects save as to weight. That is, save as to the number of hydrogen or helium atoms in the packing. Chlorine, for instance, with an atomic weight of 35.5, is made up of different chlorine atoms, having respectively atomic weights of 35 and 37. Atoms of the same element which differ in weight are called *isotopes*.

Now we have said that atomic weights are in effect integers, or multiples of 1. That seems to be the case except as to hydrogen. If we call hydrogen 1 and compute the weight of other atoms on this basis they are substantially all fractional, but if we call oxygen 16 as our basis, then we have many whole numbers and the fractions are usually slight. But with oxygen computed as 16, then hydrogen is 1.008 and it stops there. It is 1 plus a fraction. Granted then that the mass of the hydrogen atom is 1.008 and that the next element, helium, has atoms composed of 2 protons as a nucleus, 2 electrons on the outside, and 2 more hydrogen atoms as packing, it is made up of the component parts of 4 hydrogen atoms. It should therefore have a mass of 4 hydrogen atoms or 4.032. Four times 1.008 is 4.032. But arithmetic seems wrong. The weight of the helium atom is 4 and not 4.032. Where has that fraction gone?

Under conditions prevailing in the sun and stars, says Dr. Aston of Cambridge, the fractional mass is converted into energy. He further declares that if only 1/10 of the hydrogen which we know by spectroscopic analysis to be contained in the sun were converted into helium, we should have solar energy

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produced by this source alone to last for over 1,000,000,000 years. Thus it appears that creation is going on in the sun and stars to-day just as actively as when this earth was hurled forth into space. Elements are not permanent; they are not eternal; they are organized by the forces of nature out of positive and negative charges of electricity originally, into hydrogen, from hydrogen to helium, and from these to all the other elements. When elements become too complex they become radioactive and shoot out from their nuclei hydrogen and helium atoms or positive and negative charges. This is constantly taking place among the heavy atoms in planets and moons, and the very light atoms, being too light to be held by gravity, pass off again into space. Creation and disintegration thus appear as one vast continuum. The point so long at issue between chemists and geologists that the sun could not last as long as geology demands that it must have lasted, fades away entirely.

ELLWOOD HENDRICK.

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DEMOCRACY IN HISPANIC AMERICA

BY MARY WILHELMINE WILLIAMS

BEYOND the Rio Grande are twenty nations, most of which have been for about a century republics in name and, in theory, politically democratic. But in actual performance most of them have fallen so short of their pretensions as to furnish the opponents of popular government with apparently unassailable proofs of the failure of political democracy, or, at least, of its very limited possibilities. All of these States have at some time been controlled by Dictators, backed by military force, and the so-called Presidents of many of them are even now possessed of a large degree of despotic power. Yet, these facts prove nothing against Democracy as a principle of government: they merely demonstrate the inevitable and immediate futility of granting the machinery of self-rule to a people unqualified by both tradition and education to appreciate and operate it.

When, in the early part of the nineteenth century, the Hispanic American colonies cast aside the domination of the mother country and proceeded to set up for themselves politically, their experience in self-government was less than that of England when, six hundred years before, a group of angry and resolute barons forced *Magna Charta* from a tyrannous and despotic King; and democratic theorizing was perhaps even more foreign to their habits than was it to thirteenth century Englishmen. This situation in itself boded ill for any experiments in self-government which zealous Hispanic American patriots might essay; but there were other factors which greatly increased the probability that the political novices would have a turbulent and discouraging experience. Ten years of battling for independence had supplied the youthful nations with a surplus of ambitious military leaders and a fatal training in arms; and the long wars had accustomed the population to look to force rather than to law as a means of securing their rights or desires. Furthermore,

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in most of the States there was a numerical preponderance of aborigines, whose ignorance and superstition enabled almost the first military chieftain anxious for political power to rally them to his support. And, last, but not the least in its fatal effect, the Spanish officers of the colonial period had furnished abundant precedent for political corruption and autocratic misrule, which the warrior-politicians, when once they had secured control of the government, were not slow to follow, and even to improve upon.

These military executives, known as *caudillos*, usually retained their political grip and held tyrannical sway until overthrown by other rivals of their own type; then, as a rule, came a period of anarchy such as was recently witnessed in Mexico, finally ended by another *caudillo*, who, in turn, had his day and ceased to be. Thus was created and thus continued the vicious political circle characterizing Hispanic American politics, whose component segments are dictatorship, revolution, and anarchy.

Despite the practice just described,—practice made inevitable by existing conditions,—all of the new States carved out of the wreck of the Spanish colonial empire possessed republican constitutions; for monarchical government was in high disrepute at the time, and the United States and France, which had inspired them to revolt against the mother country, offered constitutional models, as well as precedents for republican control.

Notwithstanding the lowering outlook, some of the States made astonishingly rapid progress towards harmonizing governmental principles with political practice; and in this regard Chile was the leader. After ten turbulent years of experimental politics, it established an orderly government in harmony with a new constitution, and has ever since deserved the right to be classed as a republic. A few decades later, Argentina, whose governmental problems were more complex than those of its western neighbour, learned to prefer ballots to bullets in effecting changes in administration. As time passed, all of the other States showed some progress, and a few of them attained to the rank of genuine commonwealths.

Naturally, the countries advancing the most rapidly were those situated in temperate climates and possessed of but small

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aboriginal populations. The basic reason for improvement, however, was neither geographic nor ethnic, but economic. During the brief intervals between the periods of violence, rapid industrial development was marked, and this fact enabled men lured by the desire to acquire wealth to see that war and political instability were antagonistic to financial prosperity. Hence, these potential capitalists became advocates and supporters of peace and order, which, though often purchased at the price of election frauds and other varieties of political corruption, was, nevertheless, an advancement upon recourse to the sword.

Contemporaneously with an increasingly active regard for constitutional government in itself, have come changes favourable to a greater degree of political democracy. In some countries, such as Chile, the modifications have been produced by gradual evolution; in others, as Mexico, they have largely been the result of explosion—revolution. During the past ten years especially have opportunities multiplied for the exercise of popular influence in political matters.

One of the most general changes has been in the direction of making and keeping the Chief Executive the servant of the people, rather than their master—of preventing Presidents from becoming Dictators. The seizure of absolute power in times past was made comparatively easy through close organic relationship between the nominal President and the army. Hence, the Mexican Constitution of 1917 and the Peruvian Constitution of 1920 both state that no member of the army is qualified for the Presidency unless he resigns his military office within a certain minimum period previous to the election. To prevent Presidents from becoming so attached to their offices as to be tempted to cling to them indefinitely, the Chilean and Mexican Constitutions make the Chief Executive permanently ineligible for reëlection, while the Uruguayan Constitution of 1919 increases the period of ineligibility from four years to eight. The Constitutions of both Mexico and Uruguay likewise guard against the usurpation of Congressional authority by the President, through provision for joint committees of Congress which shall act for that body during its vacation.

Hispanic American Chief Executives have been forced also to

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yield to others some of the authority formerly vested in themselves alone by the national constitutions. This fact is especially significant of progress towards greater popular control. Chile has gradually developed a cabinet system of government, as a result of which the President now occupies a position no more influential than that of the Chief Executive of France; in Peru, on the other hand, a somewhat similar change has been provided for at one stroke by conscious legislative action. A Cabinet, or Council of State, of seven members, according to the new Peruvian Constitution, must be appointed by the Council of Ministers with the approval of the Senate. This body is responsible to Congress and must resign if at any time either the Senate or the Chamber passes a vote of lack of confidence. If this provision is enforced, the President will most certainly lose power and become but a shadow of the dictator type which has filled the Chief Executive's chair in Peru most of the time during a hundred years.

Uruguay, the most progressive politically of all of the States,—which fact has led it to be called the "social political laboratory" of South America,—has curtailed the power of its Chief Executive by measures of a more original nature, for Uruguay does not consider it necessary to wait for precedents. All of the former administrative functions of the President have been transferred to a *Comisión Nacional de Administración* of nine members elected by popular vote for six years, one-third being chosen biennially. This body is responsible to Congress and has charge over such matters as education, labor, banking, health and sanitation, and the like. The division of work indicated leaves only matters which are distinctly political in the hands of the President; but Dr. Baltazar Brum, during whose administration the innovation was introduced, is quite favorable to the change, for he believes that formerly too much power was in the hands of the Chief Executive. He has, furthermore, expressed a cheerful willingness to resign his whole remaining authority to an Executive Commission, which change is under serious consideration, should the people at any time decide that they desire it.

President Brum is a truly remarkable man, typical of a small but growing group which is the best hope of Hispanic America.

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Not only is he characterized by a spirit of generosity and of practical idealism, but unusual mental hospitality is his also, as is instanced by the fact that before taking office he traveled extensively through North and South America studying conditions and making friends in the hope of helping his people to the best.

An Executive Commission such as the Uruguayans have under discussion was included in the governmental machinery of the short-lived Central American Union of 1921, as a guarantee against Presidential usurpation of authority, which has been the worst political curse of the Isthmian countries. It was based upon the Swiss model, and vested executive authority in a Federal Council, the members of which were elected by the people for a term of five years from each State having membership in the Union. Such an arrangement will doubtless be found in the Constitution of the permanent Central American Union which is bound to appear in the future.

In harmony with the movement elsewhere, most of the Hispanic American governments have, by one means or another, extended the suffrage to include new classes. Property qualifications have been reduced or eliminated, Chile, which has abolished all such qualifications being a marked example; educational facilities have been improved, thus enabling more persons to meet the literacy test; and many women have been given the ballot. It is through the enfranchisement of women that the greatest change in the personnel of the voters may be expected in the near future. In Costa Rica and in parts of Mexico women now have the ballot, and by the Central American Union they were granted a voice and vote in federal matters as well as the men. Within the past year bills giving women the suffrage have been introduced into the Congresses of Uruguay and Brazil. President Brum himself initiated the measure in Uruguay, while in Brazil Dr. Bertha Lutz, "the brains of the Brazilian woman movement," and president of the Brazilian League for the Emancipation of Women, was largely responsible for the introduction of the bill and has since been the vigilant guardian of its interests. So far, neither measure has become a law, but little doubt exists that the enfranchisement of the women

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of Brazil and Uruguay will be accomplished in the near future. Several of the other Hispanic American States possess strong and active suffrage organizations, notably Argentina, whose women have for many years shown themselves to be large visioned, public spirited, and outstandingly efficient in their undertakings; and Chile, whose president, Dr. Arturo Allessandri, is pledged to woman suffrage and has shown unusual friendliness towards other proposed legislative reforms in the interest of women and children. Even in the most backward States faint feminist stirrings are perceptible.

With the extension of the suffrage have come new and wider opportunities for its exercise. The provision in the recently-adopted Constitution of Uruguay for the election of the President by direct vote of the people, instead of by Congress, is an instance of this, but a more general and more significant new application of the ballot is that resulting from the increase in local autonomy. In Chile, the provincial governors, formerly appointed by the Central Government, are now chosen by popular vote, and in Uruguay the former *jefes politicos*, likewise appointed by the central authority to headships in the provinces, have given place to assemblies and councils whose members hold their positions by the direct will of the people. The Carranza Constitution gives the Mexican municipalities the right to choose their own councils by popular vote, while the new Constitution of Peru not only extends to the municipalities authority never before enjoyed but likewise shows an increased regard for local interests and sectional differences through the creation of separate congresses elected by popular vote for the three regions into which the country has been divided. These congresses are empowered to meet annually and enact legislation subject to the approval of the President, or, in the case of his veto, of the Congress of the republic, which, under the new Constitution, is a more democratic body than formerly because the property and high intellectual qualifications previously required for membership have been abolished.

The changes in the direction of greater political democracy mentioned in the preceding pages make a rather impressive array—on paper. In view of the past record of many of the

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States concerned, it is entirely legitimate to ask whether, after all, the new legislative trend is of any real significance. Will the modifications provided for remain mere "paper laws", or will they be enforced and become vital influences in the government of the States? Any answer based upon even a superficial knowledge of the situation must, though qualified, be optimistic. Without doubt, some of the laws will be ignored to a greater or less degree—as are our Fourteenth and Eighteenth Amendments and portions of our national Bill of Rights; and, in all probability, such a State as Peru, which possesses a virtually unbroken record of autocratic rule, will do less to democratize its Government in conformity with its Constitution than will Chile with its well-established precedent for constitutional government, or even Mexico, whose political traditions are more varied and which has during the past ten years laboured hard to gain its political salvation.

Nevertheless, in most of the Hispanic American countries a much more rapid growth in political democracy may be expected in the near future than has been witnessed in the past. The increased intolerance with autocratic rule resulting from the World War helps to offer assurance of this, as does the improvement in educational facilities, and likewise the healthy spirit of self-criticism found in most of the States—a spirit never entirely wanting, but much augmented during recent years by the influence of young men and women who have returned to their own lands after studying in the United States. The persistent, growing political idealism of the people is, however, the best guarantee for the realization of true democratic republicanism in Hispanic America.

MARY WILHELMINE WILLIAMS.

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WHAT IS BAD POETRY?

BY ROBERT GRAVES

BEFORE attempting to examine the question "What is *bad* Poetry?" I owe you some idea of what I understand by Poetry without any qualifying adjective and must show where I am in agreement with the traditional view of its nature, mechanism, and functions, and where I disagree. Also I must ask those of you who are acquainted with my recent *On English Poetry* to recognise my present position as being a development and in many aspects a downright denial of the views tentatively and often half-humourously held in that volume of notebook reflections.

I will ask you to think of Poetry in two very different capacities without for a moment confusing them—Poetry as it fulfils certain needs in the poet, and Poetry as it fulfils certain needs in the reader. I have held hitherto and still hold that Poetry is for the poet a means of informing himself on many planes simultaneously, the plane of primitive imagery, the intellectual plane, the musical plane of rhythm structure and texture—of informing himself on these and possibly on other distinguishable planes of the relation in his mind of certain inharmonious interests, you may call them his sub-personalities or other selves. For the reader, Poetry is a means of similarly informing himself of the relation of analogous interests hitherto inharmonious on these same various planes. For the poet, the writing of poetry accomplishes a certain end, irrespective of whether the poem ever finds another reader but himself, that of ridding himself of these conflicts between his sub-personalities. For the reader, without necessarily any direct regard to the history of the poet, the reading of poetry performs a similar service; it acts for him as a physician of his mental disorders. I hold that a well-chosen anthology should be a medicine-chest against all ordinary mental disorders, but I should add that no medicine and no

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poetry can ever be effective without the consent and coöperation of the patient. Poetry may take the form of merely stating the nature of the conflict between these interests, a diagnosing of the ailment, in the form of pity, doubt, resentment, or merely a cry of pain; it may be a temporary relief, a narcotic or counter-irritant, which I call Poetry of Escape; or it may take the completer form of prescribing for the cure of the ailment, suggesting how a new common life can be formed between these conflicting interests by the intervention of some mediating influence.

The appreciation of Poetry presupposes a common interest or group of interests between the poet and his reader, and my experience as a reader of poetry is that I value in a poem the solution of the conflict when I am to some extent aware of its nature, but that where there is hitherto only vague unrest in my mind I value in a poem the clearly defined statement of the conflict. It is not that as readers we value the conflict on its own account; that is not natural economy. We value the statement of it because this is half-way to a solution of the trouble, which may be expected to occur both in our practical life and in some poem or dream of the future. In any state of the conflict before the solution we are glad of narcotic poetry of temporary relief; or of a counter-irritant, which, though at first sight a case of conflict valued on its own account, is not really conflict but rather a sparring match where the spectator takes no sides and likes to see sweat and strain and bloodshed from which he is excused.

But we do not and cannot value in a poem a statement of conflict or a temporary relief or a final solution which is too far in the future or too far in the past to be real to us, or one removed altogether from our experience.

The poet never knows what he is going to write, and very seldom can give a rational account of what he has written even a long time after, when the history should have appeared, and that his readers likewise can have only a very partial knowledge of the meaning of the poem even, as in the case of Hamlet, after three centuries of Shakespearean research, and then only by an insecure analogical method from their own experiences—if you will accept these conclusions you will perhaps agree that the

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question "What is *bad* poetry?" is not one to be answered offhand.

In opening the discussion afresh on this question, we are again faced with the need for a definition of "bad" as qualifying "Poetry". Does it mean that there is a kind of poetry which does not and cannot serve any possible use either to the poet or the reader? If so, on behalf at any rate of the poet, I deny that there is such a thing as bad poetry. Does "bad" imply that there is somewhere already written a wholly good poetry comparable with this bad poetry that is always good poetry and always good medicine for any age whether or not the high-brow critics or low-brow public reject it? I would deny this implication with both hands. The question, "What is *bad* poetry?" is so often put and so variously answered that I am inclined to break away altogether from the traditional view that the question can be answered in terms of any particular literary formula. If we examine the history of literary criticism we find that at certain times certain criteria have been set up for the judgment of the art and that this one or that has continually been challenged by a stubborn minority, so that it is safe to say that not a single one of these criteria has stood continuously unchallenged, or at any rate the highest common factor between them if discovered would not be worth the discovery.

One age values emotional intensity, another values sophistication and emotional restraint; one age demands a high standard of craftsmanship, another demands an anarchic abandon of grammatical or logical control; we are only recently beginning to pass out from a phase in which no man was regarded as a great poet unless he had written poems of so many scores of octavo pages in length, but before long may become like the Japanese who limit their poets to five lines at a time; for some thousand years it was held that no poetry could be great unless it reflected the ideals of Christian morality, this view the poets of the 'nineties bitterly challenged; artificial extravagance of conceits is sometimes valued, at other times a simplicity verging on infantility, and so on. My suggestion is that these criteria are not accidental or foreseeable; they represent a need on the part of the critics for poetry that will repair certain deficiencies or maintain certain successes not only in the poetry of the past, but

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also in the social, religious and scholastic conditions at the time obtaining. The recent war with its immediate sequel of peace and depression provides an easy example of unusually violent flow and ebb in the sea of literary criticism; it is now possible to read that history without much prejudice and to see how the national æsthetic canons of good and bad were no more stationary then, and corresponded closely with national political sentiment. From 1914 to the end of 1915 the idealism of "Your King and Country Need You", the love of battle as expressed by a professional soldier, Julian Grenfell, the spirit of sacrifice as expressed by patriots like Rupert Brooke and Alan Seeger, were sentiments necessary for the inspiration of a militarily unorganised country engaged in a life-struggle with a highly organised military power. But as soon as "There is some corner of a foreign land that is forever England" had achieved its end and this England had become highly militarised to the extent of passing an act for universal military service, when every man was a compulsory hero, when love of battle in prospect had become loathing in retrospect, when "Your King and Country Need You" could be a trench joke for pulling corpses out of sump-pits by their boots, then sentiment changed, and Siegfried Sassoon gradually became the spokesman of suffering. Either his work as a statement of conflict or the work of others who could produce any temporary escape from the nightmare of conflict in childish nonsense verses or pastorals or suchlike received applause for valuable services rendered to a quickly widening circle of readers, while Brooke's contribution began to be questioned as Charles Sorley questioned it as early as April 1915.

> He is far too obsessed with his own sacrifice regarding the going to war of himself (and others) as a highly intense, remarkable and sacrificial exploit, whereas it is merely the conduct demanded of him (and others) by the turn of circumstances where non-compliance with this demand would have made life intolerable. He has clothed his attitude in fine words: but he has taken the sentimental attitude.

Sorley was killed at Loos before he had time to get bitter, but Sassoon, Herbert Read and Wilfred Owen lasted in France until 1918 (Owen was killed just before the Armistice), and until the pressure of war was removed by the Armistice, poetry of idealism

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stank in the nostrils of the men who had done any serious fighting, and this disrelish was communicated in a large degree to the non-combatant part of the community which had suffered equal disillusion.

When the Armistice came and came to stay, poetry of conflict immediately lost its purpose and now until the poetry of reconstruction can appear in Western Europe, the canons of good poetry will select for praise among contemporary writers either the poets of scepticism and cynicism, Messrs. Hardy and Housman of the elders, Messrs. Aldous Huxley and T. S. Eliot of the younger men, or the poets of temporary escape, Mr. De la Mare, Mr. Blunden, the later Masefield of *Reynard the Fox* and the middle Yeats.

This is not to say that the literary press which directs the æsthetic canons of good and bad is ever representative of the whole community even when it agrees with itself, though during the war-period it was more representative perhaps than usual: there is, as a matter of fact, a complete split between the publishers' bookshops and libraries that cater for the people, and the literary press which caters for the *intelligentsia*. This split has its strange and amusing aspects as when the commercial press sometimes publishes out-of-copyright Best Books for the million when these Best Books are to the intellectual minority of such antiquarian difficulty that they cannot understand them: or when the young high-brow is forced by economic pressure to edit a journal "whose brow" (I learned the phrase from a young American in this predicament) "is so low that it scrapes the sidewalk". But I am forced to treat of the literary press because I have unfortunately lost sympathetic contact with low-brow literature.

Then the only continuity that I am able to discover in the sequence of criteria is in this, that every age has hitherto thought it possible to find a touchstone by which to judge poetry absolutely, and further that every age has thought it has found such a table of absolute values which it was only a matter of time before everyone would accept. I might be allowed perhaps to put it in this way: Poetry has always been considered of divine or diabolical origin and therefore since the idea of God is what it

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has been since the time of Plato, Absolute Mind existing from the Beginning, Poetry has had forced on it those absolute standards of right and wrong which are from time to time more definitely expressed by the dominant hierarchy in terms of true or false religion. The poetry which corresponds with the religious views of the hierarchy as to the nature of God, is good, and the rest is indifferent or bad. As in metaphysics I do not see the possibility of an absolute right or wrong, God against Devil, so in an æsthetic sense I hold that the term "bad" is in effect only relative.

What is bad poetry? The answer might be given as "Yours, when I do not understand you and when your work has no help to offer me in my troubles", and this "yours" may be leveled by the poet against a former self of his own when the march of events has separated them. So far as I can see the greatest difficulties in the present study of æsthetic philosophy have been caused by a confusion of the two aspects of poetry of which I first spoke, its benefit to the poet and its benefit to the reader, which though analogous are quite distinct, and so by a misunderstanding of the function of the poet which has hitherto been regarded as primarily a communicative one; whereas in poetry of an emotional character the chances are heavily against the poet reflecting before writing on the audience to whom the approaching poem will be addressed.

This misunderstanding is apparently derived from the traditional misconception of the functions of consciousness and non-consciousness. If, as the Croceans hold, the expression of the poem is identical with the original conception, then the question of course arises why the poet troubles to record the conception at all, and the answer is given that the prime function of poetry is communication between the individual and his neighbours. I am holding however that conception implies a certain limited knowledge before the poem takes shape on paper, as one might say "I am just going to hit the golf ball," but that a non-conscious period thereupon intervenes and the knowledge "I have hit the golf ball" or "I have written the poem" is a very different knowledge, a vast stride ahead of what went before.

No poet, a Dante even or a Virgil, composing pen in hand,

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knows before he writes exactly the form that his carefully prepared scheme will take; and that is why after giving a full account in conversation to a friend of the poem one intends to write, the poem is impossible to write in that form. The knowledge of the outline has started a new phase in the conflict for which the account that the friend heard is no longer adequate, so either the scheme is abandoned altogether having "lost its freshness" or it takes a step forward and becomes vastly more significant and exciting.

Although there are a number of poems in which the communicative spirit is present from the start but only as a factor in the conflict, where the poet has missionary intentions or wishes to use the poem as a social weapon, but in a vast number of cases the poem as it appears in its first draft has no communicative intention at all. When Trelawney records the frightful scrawl of Shelley's first drafts he is not noting an exceptional eccentricity: my experience of the first drafts of other poets' work and my own is that generally while the poem is what I might call a private poem not yet dispassionately viewed as a marketable commodity, the neat handwriting, cleanliness, and orderliness of the communicative spirit are conspicuously absent.

But when the poet wakes up to the poem as a poem, and if he considers it as entitling him to a certain dignity as its author, he begins the secondary or tertiary elaboration; he copies it out in a fair hand, he dots his i's and crosses his t's and keeps his margin and signs his name boldly, even affectedly, underneath. But by then the poem has already fulfilled its primary function and has become a commodity or a record, nothing more. When it is quoted that Shakespeare never blotted a line and the inference is drawn that his first drafts were his last, this is contradicted by the facts; both his plays and sonnets where there are two versions show great variations. The tradition simply means, I think, that his fair copies were particularly carefully written, though for other reasons I believe that he wrote his first drafts at great speed and made few structural alterations afterwards.

But this seems to be the important point, that the act of composition is primarily not communication between the individual poet and his neighbours but an inter-communication of the

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different selves formed within the individual in relation to the various groups with which he has come in contact. I do not wish to retreat far from what I wrote in my previous volume.

A poet in the fullest sense is one whom some unusual complications of early environment or mixed parentage develop as an intermediary between the small group-minds of particular sects, clans, castes, types, and professions, among whom he moves. To so many of these has he been formally enrolled as a member and to so many more has he virtually added himself as a supernumerary member by showing a disinterested sympathy and by practising his exceptionally developed powers of intuition, that in any small group sense the wide diffusion of his loyalties makes him at first appear everywhere as a hypocrite and traitor.

But the rival selves formed in him by his relation to these various groups constantly struggle to reconciliation in his poetry, and in proportion as these selves are more numerous, more varied and more inharmonious and his controlling personality stronger and quicker at compromise, so he becomes a more or less capable spokesman of that larger group mind of his culture which we somehow consider greater than the sum of its parts, so that men of smaller scope and more concentrated loyalties if they are forced in face of danger to form a common life with their rivals will forget their former objection to the poet and hear in his utterances what seems to them the direct voice of God.

I hope you will accept this view that poetry is in its first writing and first reading none but the poet's own business and afterwards is elaborated only for a limited group of readers, and agree with me that the legal principle of "no taxation without representation" should have its place in literary criticism. For what right has the reviewer to tax a poet with carelessness, obscurity, pedantry, dulness, immorality, or any other similar failing where the interests which the poet has shown in conflict or reconciled in his poetry are not represented in the experience of the reviewer?

The most that a reviewer can sensibly say is, "So far as I can see, this poem represents such and such interests, it does not meet the demands of such and such other interests. The writer appears to take this or that philosophic position, to be in sympathy with this or that literary tradition. The conflicts between so-

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and-so and so-and-so are acute (or not acute) and he uses certain symbols in different senses from the accustomed ones, arguing particular incidents in his life, which we can only guess at, connected with these symbols. The practical element is perhaps of such-and-such a character." But the time may come for him to admit honourably, "I cannot talk of this book dispassionately because the author has completely overcome me with one of the poems, which means far more to me than to other people to whom I have shown it, because the poet and myself have an experience of an unusual and emotional character in common." Or instead, "I cannot talk of this book dispassionately because it is written by a man who stands for everything I most detest, and the qualities which put me out of sympathy with him are best shown in the following passages. . . . I admit that there must be a complementary quality for him to detest in myself and therefore this review must be regarded as only one side of the story."

Every poem, I repeat, can only be fairly judged in its own context; it is the poet's business to write the poem before it ever becomes the reader's to enjoy or dislike it. From the reader's point of view it is of course true that in any given age certain poems are of wider appeal than others and therefore by majority rule the best, and that others represent a view that is of extremely limited acceptance but which is one stage advanced in the succession of events from this popular poetry, and so being destined to the votes of the majority in the next generation may be "best" in this sense that it is more progressive: a third class of poetry will also have claimed for it the title of "best" by a conservative minority on the ground that it is older-established and therefore approved by time. But as Montaigne wrote, "Truth and reason are common unto all men and are no more proper unto those that spoke then heretofore than unto those that shall speak them hereafter."

If a strange poem appears which everyone, including the poet himself, after mature consideration agrees to damn as being completely banal, meaningless, unrhythmic, immoral, untrue and designed with the most inexcusable motives, this poem, if it survives, is likely to be regarded by future historians as a remarkable piece of art, embodying an aspect of reality by neglecting which

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the age imposed on itself what they may regard as a number of avoidable ills—"the best poem that the age produced", they will write enthusiastically.

To examine a little more closely this question of group-appeal, let us take, for brevity's sake, a simple nursery-rhyme, but, for the argument's sake, one that has won the eulogies of R. L. Stevenson and Mr. Walter de la Mare among other distinguished poets as being the true stuff of poetry.

How many miles to Babylon?
Threescore miles and ten.
Can I get there by candle-light?
Yes, and back again.

Its merit appears to be generally accepted, but when I first came to ask where this merit lies, the same very insufficient answer was always given:

"Oh, I couldn't tell you; I suppose because it's so simple."

But I found that when I asked people to think about this poem on the lines of conflicting ideas reconciling themselves in a common symbolism, by a process of associative thought, they admitted that, on the contrary, it was a poem of extraordinarily subtle and condensed argument. The following is a synthetic version of conversations on the same subject with several friends Englishmen and Americans:

R. G.: The first version that I heard of the poem was:

How many miles to Babyland?
Threescore miles and ten. (&c.)

How does that strike you?

Friend: It ruins the poem.

R. G.: But suppose I am right in concluding that the rhyme came, like all or nearly all good rhymes, from the Lowland Scots, and Babby Lon' was converted by South Country men into a single word? What then?

Friend: "Babylon" is the best version in spite of scholiasts.

R. G.: But what does Babylon mean that Babyland does not mean? Is Babylon a mere remote Timbuctoo, or is it something more?

Friend: For me it has a great sense of magnificence, hanging gardens and all that, but also from the Book of Revelation, and from the prophetic Books of the Old Testament, it has the suggestion of a wicked power constantly coaxing and threatening the chosen people to destruction.

R. G.: So the poem contrasts childish innocence, as expressed in "candle-light", with the world, flesh, and devil of "Babylon"?

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Friend: I suppose so, but there is more than innocence in the candlelight symbol.

R. G.: Loyalty?

Friend: Yes, loyalty and faith; from the ecclesiastical tradition.

R. G.: Then perhaps you would accept this as a tentative analysis of the effect produced in you by the poem. It is a dialogue, the man who has gone astray after the lusts of the flesh and the sophistications of the world, addressing a child who lies innocently in bed. When the child asks the question, the man feels that, in spite of the child's apparent helplessness and his ignorance of the determinate side of life, he himself, with all his strength and worldly wisdom is far inferior in power to the child.

Friend: "Except ye become as little children," in fact? I admit that I get that feeling, but I don't see where you deduce the "sophistication" and the "determinate side of life".

R. G.: Well, what if I were to say:

> How many miles to Babylon?
> Fourscore miles and six.

Is threescore and ten merely an archaic "seventy"?

Friend: No, indeed, I see it now. Threescore and ten is the limit on life imposed by the psalmist, and associated in the memory with "labour and heaviness". But what about "yes and back again"?

R. G.: The remnant's return with all its disillusion and despondency. My mind rides with Ezra around the circuit of the soul's Jerusalem and finds all in ruins. The poem takes on fresh significance. "Keep innocency," it preaches, "and you can pass through the Babylon of manhood, and return safe and sound with as much ease as in childhood you visited that magnificent city in your dreams and came back before the candle had burned to its socket."

Friend: The old dialogue, then, of body and soul? But I think you have disregarded another buried suggestion in the "threescore and ten". Only a remnant attains fourscore, only a remnant wins back from Babylon, and they are both confronted with the hopeless task of repairing a lifetime's damage to their spiritual sense.

R. G.: That improves the argument. Probably Babyland is only a nursery stupidity. That *Babylon* is the original version seems proved by the interaction of the other symbols too closely for coincidence.

Friend: That is likely. Nursery rhymes and fables are the detritus beds of very ancient history and thought.

Would you say that within the limits of the Christian group to which the associations of Babylon, candlelight, and threescore and ten are common, the poem strikes the same chords of sensibility?

R. G.: Not quite. As there are degrees of implication, so there are degrees of perception. There is a common core of experience, certainly, but each individual has, for instance, different personal associations with candlelight,

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which alter the force of the conflict, whether the candle is thought of more particularly as a friendly charm against darkness, or whether the aspect of the short flickering life of the candle may associate itself more nearly with the threescore and ten idea. An unfortunate identification of Babylon with the Church of Rome would make candlelight into a Popish attribute and make havoc with the generally appreciated sense. That shows the insecurity of the appeal even in poems most universally accepted as achieving their end.

The test of this Babylon analysis was asking an Indian friend who is most sensitive to the implications and suggestions of the poetry of his own country, what the poem meant to him. He replied that it meant nothing much, and admitted that Babylon to him was no more than a Persepolis or a Timbuctoo, that threescore and ten was merely an archaic seventy, and that "back again" was just home to bed. But English poetry was not altogether barren country to him, and we found a common ground of appreciation in folk songs, where the allusions were not merely Biblical. My friend was not a Christian and had been brought up on the sacred literature of his own country, but the remote cultural affinity of England and Northern India provided us with a few score symbols in common, generalized from the tribal experiences of those early times, the same symbols that are perpetually recurring in dreams, with very slight variation for the individual.

Such symbols, I mean, as the association of the garden with love and the gate with privacy; of the picking and wreathing of flowers, especially roses, with courtship; of the snake with lust and betrayal; of the gift of fruit or an egg with a proposal for the consummation of love; of the sea with separation; of wings, boats, and horses with realization of wishes; of the rose's thorn, with a setback to love; of the cooing dove with a mourning lover left in the lurch; of the caged bird with frustration of hopes; of the colour black with danger and death; of white with peace, security, honour; of the high tree with hopeless Love; of the girdle with chastity; of the lamb with innocence, the lion with power; and a few more such. Primitive love lyrics of all countries where there is the common cultural tradition are built on symbols worn threadbare with age yet seemingly always capable of a new arrangement. The book of Genesis is not the fountain-

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source of the Garden of Eden symbolism nor is the Christian religion the only one that has made the Dove the prime emblem of love.

The possible appreciation of any poem depends by this analysis, on whether the allusions are common to the poet and to his reader. A truly universal poem in spite of Tolstoi's dictum would be impossible, differences of environment having set such bounds between the customs of different races and colours that even such simple symbols as we have in common with the Hindus are stultified in relation with Congo pigmy and Eskimo. There certainly are symbolic myths of amazing universality, such as the story of the man marrying a fairy woman who, on the breach of the conditions of marriage, returned to the animal shape from which she came; but a poem embodying the common experience of every race in the world could hardly be anything very exciting when it appeared. It seems then that the goodness of a poem is, for the reader, a relative quantity dependent not on the wideness of its appeal only, as publishers have tried to teach, but on the degree of perception by the reader for the various phrases of experience reconciled in terms of each other by the poet. We have noted in folk song a poetry of very wide appeal and in the Babylon rhyme another of more restricted but still very wide appeal beyond the bounds of nationality to all who have been brought up on Biblical tradition. A smaller group of appeal is the national group. Nationality has its own peculiar symbols which cannot all be communicated even to a nation which claims to speak the same language. So "democracy" and "robin" on transhipment from England to America become totally different concepts. The associations of the "merry green-wood" in English poetry cannot find a precise equivalent in German and the *Wacht am Rhein* means nothing particularly exciting to an Englishman separated from his sweet enemy by a far broader strip of water.

Within the national group there will be numerous other smaller groups of poetic appeal where a particular environment and community of interests has built up a whole vocabulary of local allusions and technical terms; Yorkshire dialect poetry and *The Harrow School Songbooks* are an illustration; there are

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even smaller groups of which family magazines are a good example, smaller still in the case of a rhyming letter to an intimate friend, and the smallest group of all is found in the poetry which a man writes for his own information and then blushingly destroys. A Yorkshire weaver is not entitled to judge a Harrow School Song or a typical Harrovian to judge the merits of "On Ilkla Moor bar t'hat": my Indian friend cannot say *Babylon* is a bad rhyme because it means nothing to him or claim that he can get very far by studying it as people say "emotionally for the pure beauty of the verse;" where there is no contact there can be no criticism.

In the trenches during the late war was heard much terrible swearing at the militarism of school-anthology poets, Tennyson, Henley, Kipling and other soldiers at second-hand, but these war-sick critics were as unjust in drawing comparisons between Siegfried Sassoon-Wilfred Owen realism and the *Battle of Agincourt-Charge of the Light Brigade* idealism, as they had once been in underrating the irony of Old Caspar and the famous victory. In this context it is interesting to observe that I have never been able to find a poem written to celebrate the joy of attack by a man who has experienced these joys to the full. With soldiers of experience like Messrs. Sassoon, Owen, and Herbert Read, it was always the counter-attack and the aftermath that is celebrated. Mr. Robert Nichols's exciting *Attack* appears as an exception, but the hero of that attack is not the historic Mr. Nichols; he leveled no revolver at Germans, flick! flick! and felt not that cool madness of the platoon commander which he describes with such fervour. For as a matter of fact he was not in the infantry at all and his service with the artillery in France was of the shortest.

In my own poems I find that I tend to mislead my readers as to the extent of my service as a soldier; I suggest that I saw a great deal of fighting whereas in neither of the only two set attacks in which I took part did I reach the enemy trenches; however, my phantasies are not nearly so vivid as those of several war-poets, notably W. W. Gibson and my uncle, Arnold Graves, who never were soldiers at all. Siegfried Sassoon and I have since enjoyed a hearty laugh over a poem of his—

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Return to meet me, colours that were my joy
Not in the woeful crimson of men slain,

written in France before he had seen so much as a dead mule, and my own, *It's a Queer Time*, written from the depôt in England months before I had a chance of verifying it. These cases are typical; we meet them at every turn, but the tendency is not to appreciate them in their own context, instead of irrelevantly pointing out their limitations.

While insisting that in an absolute sense all poetry is of equal value, I admit that it would be a counsel of perfection, an absurdity, to say that a reader ought equally to value any two poems he cares to mention, of which one is of far deeper appeal to him than the other. We cannot escape from our context and form a common life with people or poems beyond the limits of this context. If we see a man drinking to excess and poetically celebrating his delight in the debauch we cannot love him or his poems unless we have a secret or open leaning to drunkenness ourselves. The most that we can do is to abstain from any action or comment that may aggravate the conflict between us once we have realised where the conflict lies.

There is a good and a bad from the reader's point of view in any particular case; the good is what is in harmony with his needs at the moment and the bad is what is in opposition to these needs or has no bearing on them. All that I am insisting on is that no poetry has hitherto appeared and no poetry can hope to appear to which an absolute permanent value may legitimately be accorded. In the growth of religions among primitive tribes, we find that the devil of each tribe is generally the god of their most powerful enemy. The Devil of the Christians was for a long while Faunus the goat-god, whom rival religious systems held in reverence under one name or another, embodiment of the "animal passions" in man; but in England after the Reformation the Devil changed his appearance, and the horror in which we held our religious rivals of the counter-Reformation and the Inquisition gave him the personal characteristics of a Spanish grandee and dressed him in the cardinal red of Rome.

Exactly the same has been the case in the history of literary criticism; if the Eighteenth Century rode the ideal of *de-*

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corum to death, it was a protest against the Devil of Excess, the sensual excess of the Restoration wits on the one hand and the self-mortifying violence of the Puritans on the other. Decorum in politics, manners, religions and literature alike was in the reign of Queen Anne an undeniable necessity. When Decorum was outlasting its inevitability came the Romantic Revival to set up a new God of Freedom and make Decorum into the Devil of Tyranny and Dulness. In Keats's *Sleep and Poetry* we can recognize the severity of the conflict and watch the diabolizing process in operation. Of one thing we can be certain, that no God or Devil has hitherto ever remained constant for any long period of time, and so though we find ourselves inevitably making gods or devils every day, the best policy appears to be that of admitting our gods to be the creation of our own brains with little objective existence, and of respecting the devils as being the creation of other men's brains fulfilling a definite need for them. Then once we find an objection being recorded by the heathen in his blindness against our own wood and stone we may be prepared not to fall down and worship the Devil on whose account this objection is made, but to wait for the revelation of a new god which we both can respect who will not be the old god or the old devil in disguise or even a synthesis of the two, but a fresh creation that makes them both of only historical interest.

So I would hold that though there is good poetry accepted by a large group of this generation as admirably suiting its needs, yet when these needs change as they must change, and this poetry still continues to be upheld by academic and similar interests as the very best conceivable, then that poetry in its secondary function develops an aspect which could not have appeared before either to the poet or his contemporary readers, an aspect distinctly hostile to the new needs of the group which previously gave it welcome recognition. It is then regarded as bad poetry because the rising generation brought up in the changed environment can have no knowledge of it but a limited and biassed knowledge. As medicine it is relatively bad, because it gives no relief, no answer to the problems of the age.

ROBERT GRAVES.

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COUNTY MATTERS

BY STARK YOUNG

MONSIGNORE seven years before I knew him had retired from active labour in the Church, and had gone to live at the convent on the hill overlooking Rome. It was there, when the Sisters took me in, that I used to walk and talk with him.

Monsignore was a man past sixty, not very tall, with a head bent slightly forward and black eyes twinkling out of a wise, grave little face. He smiled easily. And he had a way of looking at you with a quiet, kindly, steady gaze that ought to have routed one but did not do so, I finally decided, because it seemed somehow something rather eternal than personal. His hands were light and gracious.

One summer evening toward twilight Monsignore came out and joined me on a garden seat. Upward behind us ran the slope of the convent garden, cypress trees and laurels, olives and a vineyard, and near at hand an ilex spreading beyond the gravelled terrace. Below us, past the stone balustrade of the terrace and the long border of oleanders flowering now rose-coloured and thick, the garden dropped down into the growing dusk of the city. And not far from where Monsignore and I were sitting, a fountain rose, out of a round, low pool, the jet of it rising high into the air.

Monsignore had an odd twist about his mouth as he looked at me and something more than a twinkling in his eyes.

"How singular it is, Signor," he began, having seated himself gravely and with a kind of permanent comfort in his arrangements, "I cannot rightly say I am surprised, because I am accustomed to this in them. Those English ladies, Signor. We have been talking together in the *salone*. They are truly remarkable. They continue to surprise. The lady in particular was that Mrs. I forget the name. I have the address she gave me, which again I would not say surprised me, for I am

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accustomed to that also, but it has eight lines. The poor postmasters here in Italy no doubt would take it for a horoscope. However, what I was saying is that this dear lady was asking me about the princess who has just come in from Mantua. The ladies had heard, they said to me, that the newcomer was a princess. She was, I said; I used to know her father. 'Indeed?' they said." Monsignore gave a good imitation of false vowels and a choked throat, enjoying himself as he went on, "'Really! And she has come here for a rest no doubt.' She had come for a rest no doubt, I said, and her name was one of the oldest in Italy. The ladies were interested at that. The history of these old Italian families is very jolly, my friend said. 'But still,' she said,—and that was what did, I am afraid, surprise me a little, my dear!—'Of course after all it is only an Italian title.'"

At this I smiled, the point of view was familiar. "Of course it's not like our English titles." Monsignore stopped with this quotation of the lady. He smoked in silence his cigarette.

The hills away beyond Rome were turning now to liquid amethyst. The superb golden brown of the palaces and walls glowed in the infinite, intense blue of the air. Below us we saw the descent of the Borghese Gardens, and saw the great city gates, the high walls above the Piazza del Popolo, the arches and high terraces, the long stairs leading down, magnificent saffron yellow beyond the gleaming column of the heavy fountain plunging upward in the center of the square. Rome, ageless, imperial, was there before us; the details of it and the whole of it came into my mind; it was rich, not too spiritual, not too chaste and early, but baroque, elaborated, full of security and sophistication and ornate power. Rome, filled from place to place, in every quarter, with her eternal fountains.

"They are fine people, no doubt, the English," he went on. "I have known so many of them here in Rome; envoys, Oxford scholars, artists, fashionable travellers, aristocrats, and Catholic visitors—they come and go, my friend. And one way or another they are all alike. These ladies talking about the English titles are not very different after all from the rest."

"But how do you mean, Monsignore?" I knew what he meant but it seemed better to inquire.

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"Precisely this; they all bring England with them. And they speak of Italy as one does of one's collections of objects. They regard Italy, and other countries I daresay, as put in the world to serve them and to express their so definite desires. And how very definite their desires are! Often so much more definite than discerning or exquisite—Signor, how can one be so specific as to the hour for tea and so satisfied with merely boiling one's food? But that no doubt is one of God's secrets. And if anything is different, then—when an Italian sees that some unimportant thing means so much to an Englishman and so little to him, he adapts matters. Naturally, since the whole consideration is chiefly business, he would not wish the gentleman to perish or go into a rage for a simple matter of changing one's hours or leaving out all taste from a sauce. And thus, my friend, a country begins to conform to English ways.

"The British Isles are evidently a diverse climate from ours, are they not? But I have heard Englishmen here complain of the hours of the museums. They complain of the length of the postal cards. Every Sunday when the good Sisters give us the *gelati*, do you not mark the lady who says regularly there is no ice cream like Buzzard's ice cream? There are no peaches like English peaches. And the gentleman near you at dinner, the Cambridge professor who has been studying at Pesto and Capua, you have heard him insist that the eggs here in Rome are undernourishing? They look like eggs, he says, but he finds that they have no sustenance in them. Eggs!"

I nodded and smiled, for I remembered the egg criticisms and I wished to keep Monsignore going.

"What do you think, Signor? Do you not think that this all follows from their great individualism? I don't mean originality, which springs from some unique and powerful center, does it not? I mean mere subdivisions of oneself. If one clings so subtly to oneself, naturally one may cling in the same way to one's country and its ways, no? *Ma che*, they are inner! What special attachments they have to their pipes, their umbrellas; and I am told they give names, Little Mary, Bess and so on, to covers for the bed, and derive much humour from the fact. What special little affairs of the heart they hold with ferns and daffodils and

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little garden flowers! And what a stew they make about the love of the country. One wonders from their manner when they speak of the country how they explain to themselves our Italian habit of gardens, since we have so few garden sentiments, so few gentle privacies with columbines and primroses. And what trysts they affect to keep with squirrels, birds, ants and wild fowl, may God help me! It is so hard for me to understand! How, I ask myself, do such people ever arrive at clear conceptions, at outlines? Signor, it is the same with their religion. They specialize in it, each and every one almost. There is an annual crop of creeds and cults."

I quoted rather obviously, more to keep the spell working, "The land of three hundred religions and one sauce."

"But—" Monsignore rubbed his hands gleefully together—"is it not a droll thing, Signor, how these Northern nations, who have such pious strength in their inmost selves, should feel so much the need of stimulants? What floods of tea these English ladies drink!" After that little thrust Monsignore quieted into something graver that flared his nostrils for half a second.

"It's not only that they bring their personal convictions into foreign lands. They not only dress for dinner, have their hours for tennis and import English biscuit into the very heart of a Chinese desert. They bring all this into the Church. What a time we have with our converts, Signor! They take everything so hotly. They consider that one cannot have too much zeal. And so they search their souls and rend themselves. And they naturally infer that they can do the same to us. They want to specialize on every point. But the Church, Signor, was not born in a day, and it teaches the sin of scrupulosity. One's inner voice may be a little overweening, shall I say?

"May I tell you about one of these converts, a remarkable man, too? It was when I was at the head of one of the Vatican Colleges here in Rome, fifteen years ago. This gentleman came of one of the oldest English families, I am told, an old county family, a great name. Well, Signor, it is clear that when he came into the Church he came with the profoundest of inner convictions, let us admit that. I have no doubt he broke down half a dozen priests in the process. And so, once in, he studied

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everything, he gave money most liberally, and he gave his criticisms, his personal opinions and his advice at the same time.

"I had invited this gentleman to visit us in the country at our villa near Tivoli; the college had a villa there. One week end in the summer he came out. How well I remember it! He was a handsome man, tall, lean, cranky looking, perhaps, but distinguished. He came on a Saturday. He arrived from the station in a carriage, and behind him came a sort of van with his two servants and a huge pile of boxes and bundles. At first I thought he must have mistaken the invitation. You see I had asked him for over Sunday. But there he was, with the boxes and bales and parcels and the two servants! But no, he had that clear, and we were soon walking in the garden, discussing the problem of Catholic education, while his servants were upstairs, as I learned afterward, making no end of trouble about the arrangement of the rooms. At dinner that night, you won't believe me, Signor, when I tell you, that night at dinner I sat at the head of our long table of forty or more young fellows, and my distinguished visitor of course sat at my right. But after grace was said what should I see, bless my soul, but the manservant, who came down the entire length of the refectory, past the entire line of seminarians at table, with a tray full of bottles and other objects. These he brought and offered to his master, to none of the rest of us, and my guest made his selection from them, putting things beside his plate in the most particular manner. There was Chutney, curry, and what not. He then resumed the conversation as if all this were a mere matter of course. The manservant went back to the kitchen then to supervise the cooking of his master's meat. Next morning he was there about boiling eggs. But all that was nothing to the way my guest kept his eye on me and the ritual! I remember how he remained in the sacristy while I was preparing for the mass. You see as I went out of the door I brushed against a curtain and, as one would, raised my hand to my head. After mass he was waiting for me. 'And why did you touch your beretta like that?' he asked. 'I never knew that that was in the ritual.'

"And yet he was a very devout, distinguished, liberal gentleman."

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"I can easily believe that also," I replied. "But, Monsignore, I often wonder what you Italians do think of us foreigners. You are so polite and so astute."

"Well, how the Italians get around this problem of the English I can at least tell you, Signor."

"Well?"

"The Italians solve it; they think they're all crazy."

I would forgive him for talking so much, Monsignore said then. I must admit that he was not always so garrulous. Old age and English ladies. And yet when one reflects—

Aye, aye, aye, what an odd world it is! Take the Frenchmen. The Frenchmen that he had known had been delightful gentlemen. They had every one of them been deferential, suave, affable, complaisant. Not always *simpatico*, but yet always agreeable personally. A little mannerism undoubtedly. But no affectation. Where a Frenchman is mannered an Englishman is affected. The Frenchmen he had known did no foolish things, that is to say freakish, cranky things. But then if you got a crowd of them together, everyone knows what happens. They act like fools. Everyone knows of the fights in the Paris Chambers, the Deputies throwing ink bottles and rushing together with their fists. Take a set of Englishmen. No matter how freakish any one of them may be, the whole meeting is ruled by common sense.

"How they do it," Monsignore went on, "I don't know. But they do. The soul of good sense. Is it athletics, or born sanity—that would be hard to believe, that last!—or is it a long training in government and a governing class?" Monsignore looked at me slyly. "Or is it, Signor, that where there are so many individualisms one sees the necessity of a general concession to the group? Either of playing the game together or of disaster."

"But how do you figure all this, Monsignore," I asked, hoping piously for light on a question I often turned in my head. "All our Anglo-Saxon talk about baths, say, about justice, about truth?"

"Perhaps," Monsignore ventured, with a smile, "perhaps strong beasts make strong cages." I said I got the point.

"Dear Signor," he said presently, "we can say this if nothing

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else. The English never give up the county point of view. The strength of the English lies in their ability to carry the county over the world."

In the wind the spray from the fountain blew out past the rim and on to the gravel with a sound like swift retreating rain. The cypresses near by moved also in the wind; the swaying columns of their black masses and the swaying column of the fountain rose together upward. From somewhere on the shadowy slope behind, a bird began to sing; its voice was like starlight, like a pipe, like a cry; it made a long bright line across the darkness.

Monsignore began again; he was to talk his thoughts through.

"As for me, Signor,—and I have wondered sometimes how much deep down that would be true of my country,—I have the weakness of the long vista. The malady of horizons. I lack strength, from old age perhaps and perhaps from a little universality of mine. That is to say the county, *la provincia*, where I was born slips out of my mind, Signor. I tend to follow reason; and to me reason is the kind of imagination that perceives the relation to one another of all things, how they check or support one another, of all things in our world about us and in our world of time. And my mind possesses strength and peace only through renouncing what is impossible and coöperating with what is necessary. A long history is ours, and I sit here in Rome and look at things not so much as they seem when they pass before me but as they remain when they are over."

We were silent, and Monsignore with his light hand began to tap a cigarette on his case. He gave a little chuckle.

"Spinoza said something like that—magnificent heretic, I whisper it to you, Signor—he should live in Rome. I'm afraid we should have made very sorry colonizers, Spinoza and I."

We sat on for a while, and I saw far down below us the innumerable lights coming slowly out. After a time my companion rose and went over to the balustrade and stood looking down. He spoke to me at length, without turning.

"Do you know, Signor, sometimes I could believe that even in this place one can hear the fountains of Rome."

STARK YOUNG.

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LUNATICS OF LITERATURE

BY JOSEPH COLLINS

NOTHING is more enigmatic than insanity. How "queer" may one be and yet not merit the designation of lunatic? It is beyond doubt that a grand jury would deprive John Webster of his liberty, and it is highly probable that a judge would instruct a petit jury to find Lorenz Lubota insane rather than guilty of participating in the robbery and murder of his aunt. But it is not likely that Mr. Sherwood Anderson or Herr Gerhart Hauptmann had the smallest intention of portraying lunacy. Their purpose was to depict a reformer and a reformed respectively, and incidentally to make an artistic job of it.

The lure of insanity for the popular imagination has received ample testimony since the creation of Don Quixote and Hamlet. The mentality of the latter has probably occupied more printed space than that of any other person, real or imaginary.

When *Jane Eyre* was written, insanity was a rare subject for the novelist. Since then it has had increasing popularity. Ibsen found that morbid mental states furnished a fertile field for the study of personality and its problems, and Dostoievsky set a standard for the fictional interpretation of the diseased mind which has never been approached either by novelist or dramatist. Stavrogin, of *The Possessed*, is a picture of psychopathic personality without a rival, and the genesis and display of acute delirium has never been so masterfully delineated or so comprehensively presented as in Ivan Karamazov. The works of Zola, Daudet, De Maupassant and other of their contemporaries and successors are rich in insane and psychopathic characters. It is, however, within the last two decades since the "New Psychology" has been presented in such a way as to make leading appeal, that the insane have come into their own in literature designed for general consumption.

Psychiatry, or morbid psychology, is the most popular branch

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of medicine today with the layman, and the most unpopular with the physician. Yet most of the stories of the past ten years would testify that their writers had never set foot in an institution for the insane nor made the acquaintance of any of the inmates, some of whom are presumably models for their characters. In fiction, with a few notable exceptions, insane people are utilized in any way they may aid the development of the plot or express the convictions of the author.

No one has ever been able to define insanity satisfactorily. There is no reason for believing that it will ever be accomplished. Nevertheless, the term will continue to be used derogatively and diagnostically. Insanity results in, or is the result of, disorder of personality. It is manifest in thought or in conduct, or in both. The individual whose personality disorder is confined to thought is not considered a lunatic by the law or by his neighbours, although he may be the victim of definite mental disease. He does become a lunatic when his conduct is at variance with that which we recognize as normal, proper, good, safe, legitimate. That is, he does in actual life, but not in fiction. For instance, any man in any community who would act as John Webster acted when "having bought a small framed picture of the Virgin, a supply of yellow candles and two glass candlesticks made in the shape of crosses with little gilded figures of the Christ upon them", he put the picture on the bureau of his room, lighted the candles and began to prance about the room nude, apostrophizing the Virgin, and later got his wife and daughter clad in night-gowns into the room while he regaled them with a narrative of his sin and sensuality,—gloating surreptitiously over his daughter's physical charms,—would be considered insane. But John Webster is the apostle of a new faith, a faith which says "The body is my tabernacle; I love and revere it; I respect and protect it. It was given to me to be the instrument upon which are played the harmonies of life's joys. For it the birds sing, the green spreads itself over the earth in the spring, for it the cherry trees in the orchards bloom. I worship it particularly because it is so concupiscible." If, however, Mr. Webster—or his wife or daughter—had sought my professional opinion, I should have been obliged to inform him that not only was he a lunatic, but

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that he should be deprived of his liberty for the good of the community. He could probably find others, experts even, who would not agree with me. But there are few things upon which the whole world is agreed. Perhaps the only one is that Will Rogers is a humorist.

One of the best studies in literature of a "shut-in" personality and of the form of insanity known as dementia præcox is in *Midnight Confession*, by M. Georges Duhamel. It is the self-revelation of a man to a casual stranger whom he encounters at the moment when his long pent-up ego bursts the flood-gates of his habitual, even pathological self-suppression, and reveals itself in all its nakedness of spirit. Up to this time his psychosis, which may or may not have been suspected by his neighbors on account of his "queer" conduct, may be said to have been incubating. When his outburst takes the form of his "midnight confession" we know that he is insane.

A small clerk in an office yields to an impulse to lay his finger upon the ear of his employer, just to assure himself that the man is made of flesh and blood. Society is more afraid of a lunatic than of a criminal, so the man is thrown out of the office in disgrace. His story is one of rapid deterioration, both materially and mentally. Self pity, self absorption and lack of initiative paralyze effort and permit his natural egocentricity to bear in more and more closely upon him, until it goads him into his "confession", with the statement that, on account of his failure in every relation in life, he renounces everything—home, his old mother who has been supporting him, the young woman whose sympathy has been offered him—the "whole show". He does not suggest suicide, nor any destination. He merely leaves the reader with the impression that he is ready to become a custodial case in an institution for the insane for life.

In interesting contrast with this story is an English novel published shortly before *Midnight Confession*, by a writer who has not achieved any great vogue in America, Mr. William Caine. It is called *The Strangeness of Noel Carton*. A young man who has married a vulgar woman for money, will keep a diary and write a novel. He creates ideal individuals to hate and to love. In his fiction he cuts an irresistible figure, instead of the drab and

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contemptible one of real life. Most of his heroics are suggested and developed in dreams, but gradually he ceases to differentiate between dream work and conscious production. Soon he identifies persons in the flesh with his imaginary creations, and carries on with the latter in his actions. This prompts his wife to suspect his sanity. He discovers the draft of a letter from her to her solicitor which convinces him that he is going to be confined in a madhouse. The wife enters the room and he shoots her with a loaded pistol which he has discovered in her desk.

Were it possible for a writer to depict an insane person who did not display any features of insanity, Mr. Caine should have succeeded with this novel. Noel Carton was strange, but he was not insane. His flight from reality was an interesting experiment. It was an index of sanity to have undertaken it.

In certain cases of precocious and late dementias the victim harbours and publishes the delusion that he has committed the crime that everybody is reading about and that the police and District Attorney are seeking to trace to its perpetrator. It is within the recollection of nearly every newspaper reader that a few years ago, when New York was thrilling with one of its many unsolved murders, a young man, at the moment in Canada, confessed that he was the murderer of the well known sportsman and authority on auction bridge. That man is now, or was until recently at least, an inmate of the Manhattan State Hospital. Mr. Sherwood Anderson, in a story called *Brothers*, made such a delusion the focus of a brief narrative.

Mrs. Edith Wharton has spun an interesting tale around the reverse side of this in *The Bolted Door*. In that case Granice had murdered his mother's cousin, but his whole life denied it so convincingly that his confession to friend, District Attorney, or the press was considered a delusion. Apparently he did not even have an enemy or an ill-wisher in the community, for no one believed him. After he had been shut up in an asylum for some time his statement was found to be true. The reader is led to surmise that he was then insane. He was, but no more insane than when he committed the crime.

One of the best presentations of hallucinosis associated with exhaustion in fiction is a short story by Mrs. Charlotte Perkins

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Stetson Gilman, called *The Yellow Wallpaper*. The wife of a distinguished physician steeped in materialism becomes soon after childbirth "run down" and "threatened with nervous prostration". A long unoccupied country place is taken for the summer. She is sentimental, romantic, imaginative. Her husband is literal, specific, standardized. She has never admitted, even to herself, that his virtues at times weigh heavily upon her. The draft of the furnace in which she attempts to sublimate her libido is writing a record of her thoughts. The lure of the supernatural had made her want to fasten a ghost-story upon the house, but there was no legend. So she finds a substitute for a ghost.

> I don't like our room a bit. . . . The paper is stripped off in big patches all around the head of my bed, about as far as I can reach, and in a great place on the other side of the room. I never saw a worse paper in my life. One of those sprawling flamboyant patterns committing every artistic sin. . . . The color is repellent, almost revolting, a smouldering unclean yellow, strongly faded by the slow-turning sunlight.

Her mind reverts constantly to the wallpaper until it becomes the center of her existence. "There are things in that paper nobody knows but me, or ever will. Behind that outside pattern the dim shapes get clearer every day. It's always the same shape, only very numerous . . . and it's like a woman stooping down and creeping about behind that pattern".

The woman who is creeping about is herself, seeking to avoid further "encounter with opposition", striving to get "more society and stimulus", aiming to thwart "schedule" for each hour in the day and "specificity", clamoring for freedom, for responsibility, for opportunity to exercise her wings that she might soar into the empyrean of romance, that she might hover securely over the seas of reality, that she might alight safely in the isles where life and strife hold out their arms.

She next discovers that the front pattern moves. The woman behind shakes it, and at night she comes out and crawls. Finally, the furniture is moved from the room in preparation for leaving the house, but she refuses to go and locks the door and throws the key of the room out of the window. John comes and finds her creeping. "I kept on creeping just the same, but I looked at him over my shoulder. 'I've got out at last,' I said, 'in spite of

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you and Jane. And I've pulled off most of the paper, so you can't put me back.' Now why should that man have fainted? But he did, and right across my path by the wall, so that I had to creep over him every time."

Mrs. Gilman's story embodies the fact that visual hallucinations are most likely and frequent at night, or in the dark; that they often follow in the wake of exhaustion from disease or stress; that in the beginning they are apt to be shadowy and to achieve continuousness and plasticity very gradually. It sets forth with extraordinary lucidity the phenomenon of "identification".

Old Crow, by Miss Alice Brown is one of the new books which feature insanity, or supposed insanity, in the development of a plot, rather than as a study of personality. Tenney, an ignorant New England farmer, is considered eccentric by the neighbours. He is a religious fanatic and subject to violent fits of jealousy in which he threatens to kill his baby. During these attacks Tira, his wife, flees to the woods with the baby, always returning after a few hours to find Tenney quaking with fear and humility lest she will not come back or has killed herself. During one of her flights to the mountain she meets Raven, the middle aged rich man of the countryside who, satiated with city life, prosperity, war experiences and a sense of personal futility, has gone to his old home to rest. He is attracted by Tira's extraordinary beauty and evident terror, invites her into his studio, a hut on the mountain, and tells her to use it as a refuge. She does so—many times. Tenney's suspicions have been attached entirely to a man who has been associated with Tira's past and who still pursues her, partly from attraction and partly to bedevil Tenney, to whom she is entirely loyal, although she does not love him. He, however, transfers them to Raven, whose interest in Tira, although innocent, is evident. In one of his rages Tenney takes a shot at a man whom he mistakes for Raven, and in another he smothers the baby with a pillow. Tira tells the doctor that she has "overlaid" the infant, and after it is buried her body is found in the water near a slippery stone crossing. Tenney, overcome with remorse and fear, gives himself up to the authorities and confesses the murder of the child, but nobody believes him and he is acquitted as "crazed" by grief over the death of wife and

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child. He then drowns himself at the place where Tira's body had been found.

He was no more "crazed" by grief than he had been by jealousy. Jealousy is the pattern of insanity, but neither judges nor juries will commit a man or woman who is swayed by it, no matter how "insane" the jealousy is. Tira's past did not bear close scrutiny. Although we are assured of her faithfulness and loyalty to Tenney, her conduct with Raven was, to say the least, indiscreet and lent itself to misconstruction. Even an emotionally equilibrated husband would have had his suspicions aroused, particularly if haunted by the thought that his wife did not love him. Nothing testified Tenney's insanity so unqualifiedly as his suicide. Sane Anglo-Saxons do not kill themselves.

The same theme is used in *Ellen Levis*, by Miss Elsie Singmaster. Although the suspicions of the jealous wife, Hilda Lanfair, have not shadow or semblance of foundation—sheer delusions created out of a mind whose sole interest was the justification of a morbid emotional condition—and there was a history of insanity in her family, the alienist of the novel would not commit her until after she had attempted violence by substituting ammonia for the eyewash intended for a woman to whom she had taken an absurd dislike. Even then the reader is given no convincing evidence of the alleged dementia. Hilda was of low-grade mentality coupled with dominant passions, and had been spoiled by wealth and indulgence—a cheap and tawdry type. In a book significant for otherwise fine characterization, she is entirely lacking in the distinction that marks the baffled human souls struggling for expression in *The Yellow Wallpaper* and in *Brothers*, and fails to arouse any response in the reader save that of pitying repulsion. Indeed, the picture presented of her would justify a question as to whether intelligence tests would have rated her as slightly above or slightly below the line that divides a stupid individual from a moron.

It is remarkable that no one has depicted paranoia, reasoning insanity, in fiction, save Dr. George L. Walton who, a few years ago, published a novel *The Paranoiac*. The author, one of the prominent neurologists of this country, naturally gave an accurate description of its development and display.

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The victim of paranoia has an organized body of knowledge (false) which usually colours his whole life and sooner or later conditions his conduct. His reasoning is acute and logical, but as his premises are false, his conclusions are false. There are plenty of characters in literature that have what are called paranoiac minds, frequently spoken of as "twists", but these are to be compared with individuals who have periods of exaltation and depression. The latter are what are called the manic-depressive type of individuals, but they are by no means victims of mental disease.

Countless efforts have been made in recent fiction to paint psychopathic personalities of all shades, but there are few pictures of the commonest class of insanities, the manic-depressive insanities. In *They Who Question*, published anonymously in 1914, which tries to answer the question, "Does God send suffering as punishment for sin?" there is a minor character who becomes insane. He is the only child of an intelligent and worldly woman who has become embittered against God and man because her husband has succumbed to hereditary insanity and she confidently believes that her son will likewise suffer as he approaches maturity. Reggie, the son, is an attractive, gracious boy, apparently quite normal. But at sixteen he is sent home from Eton on account of a "nervous breakdown" which is credited to have been precipitated by a slight fire in his room. From an obsession to set fires he goes into acute mania, and the narrative is evidently of an actual occurrence.

In popular parlance "nervous breakdown" is a euphemism for either the exalted or the depressed phase of the mental disorder now called the manic-depressive psychosis, or for dementia præcox. Reggie may have been the victim of either, but his final gesture, jumping into the flames of his burning house, after having set it on fire, as well as the cleverness and resourcefulness he displayed in concealing kerosene oil, suggests the first mentioned disease.

As a case of chronic mania Bertha Mason, of *Jane Eyre*, has no rival in recent fiction. Although her appearances are few and her *métier* is to produce suspense in the plot and to play a mystery and horror rôle similar to that of the specter in ghost stories, not

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only is her behaviour true to type, but what is revealed of the nature of her disease is convincing. She is a purely objective creation—a mere picture. Modern fictionists specializing in insanity want to make a psychiatric studies usually. Probably this is the reason so few have essayed mania, which might be correctly painted from a live model, if the painter were satisfied with a picture and did not aspire to interpretation. Not that an interpretive study, if accurate, might not be uniquely interesting. The ideal novel portraying an insane hero or heroine remains to be written by a man or woman gifted with creative imagination and artistic expression who has recovered from one or more attacks of manic-depressive insanity.

M. Paul Morand, who has been sketching imaginary international figures, men and women, has recently depicted general paresis in *La Nuit Portofino Kulm*, the opening sketch in the volume entitled *Ferme la Nuit*. O'Patah is a composite of Oscar Wilde, Eamon de Valera and Gabriele d'Annunzio, doubly dedicated—as poet and Irishman—to ridicule, to misfortune and to sublimity. M. Morand says that "his organic disorders followed the typical course of his disease". But he makes O'Patah talk and act in a way that would be quite impossible for a victim of general paresis. He does, however, in a masterly way which meets the extreme exigencies of both art and science, foreshadow in the opening scene of the episode the disease which is soon to fasten upon O'Patah, first crippling his faculties and then causing his death. Here, in the Royal Suite at the Waldorf, surrounded by an ante-room full of reporters, and bombarded with telegrams and scented notes, the hero-poet, with the vanity of a tenor idol, the brawn of a Sampson and the pompousness of a political boss, receives the sculptor interested in making a bust of him, in a scene of utter confusion. Like the opening notes of a symphony, the disarray of the room in which the reader first sees O'Patah is an index of the more general and essential confusion of which he is later to be a witness. The room in which a person of abnormal mentality lives is as significant of his disease as his speech or his conduct. Ibsen is the only writer I recall who has given an exact picture of general paresis. In his description is to be found the delineation of the disease in all its astonishing manifestations.

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Mrs. Katharine Fullerton Ge[illegible]ld is given to portraying individuals who are burdened wi[illegible]wh[illegible]e form of psychopathy or another, but they are rarely, if [illegible]onin[illegible] insane. In *Bluebonnet*, a short story in the volume called *V[illegible]usi[illegible]t Dust*, Millicent—who has all the family nerves—has visual h[illegible]t[illegible]ucinations which condition an aberrant conduct, but in reality she can laugh at them and explain their genesis. Her husband, a lawyer with a single track mind, is so engrossed in his profession that he has no time to companion his wife and to effect a communal life with her, though he is profoundly solicitous of her health. When she writes to her brother, a pompous, self sufficient, arbitrary individual, that she has been surrounded by strange people including a most dreadful little girl in a blue sunbonnet who goes about and hits the furniture with her hard little knuckles and who is in every way impish, and gives a circumstantial account of their visits to her, both her husband and brother are profoundly concerned lest she be developing insanity. Her husband receives the letter from her brother and informs Millicent of it, and she tells him at once that it was a joke which she wanted to play on "the pompous fool George". He is at once reassured and turns to the engrossments of his profession, leaving Millicent to her own devices. She has, however, found that engrossments for her are not teas at the golf club and visits of indolent women, but the creations of her own imagination.

So she turns to them again, rather than to colourless diversions that her husband thinks should be sufficient to fill her life. And this time she carries the play to a far greater extent, for she now begins to believe in their reality herself, and she goes some lengths to deepen her own conviction, even so far as to buy the gingham in the village to make the blue bonnet for the impish little girl, and to pour tea into each of the six cups which she had laid for her party, and to wet the spoons, so that the maid might be convinced that her invisible acquaintances had been there in reality. Her husband then sends for an alienist, and I doubt not that he told him, after getting the facts of the case, and sizing up the husband, that Bluebonnet was a wish-fulfilment on the genesic side of Millicent's nature and that the other five were attempts at fictitious fulfilment of her craving for contact with

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people who had done something in the world, who were doing something in the world, who had time to talk about their accomplishments and their failures, to laugh at them and lament them.

In *The Clean Heart*, by Mr. A. S. M. Hutchinson, the hero is evidently intended to become insane in the early chapters of the book. He has spent his youth up to thirty working for other people and suppressing himself, and although a successful man he is restive and ill at ease. He is possessed with the idea of satisfying himself, but doesn't know what he wants. One day he leaves his office (he is an editor and also a successful novelist) and is pursued by his double, jumps off a bridge into water, is fished out, runs nowhere in particular and falls in with a cheerful tramp, joins him and becomes a hobo, gets rid of his double, enjoys life and tries all available kinds of selfishnesses, and finally returns home a normal man.

This is an attempt at fulfilment vastly inferior to that of Mr. Polly, who was not overdrawn and whose behaviour was in the nature of the possible, while the hero of *The Clean Heart* was labeled a lunatic and made to behave as a philosopher taking a needed vacation.

Miss May Sinclair has drawn insane persons true to life, although they are always minor actors in her dramas, her chief characters being let off with milder aberrations. In the psychopathic family of *Mary Olivier*, Aunt Charlotte, though moving in a vague background, playing with dolls and pets and giving them away preparatory to an imaginary marriage, moves convincingly as a dement; while the brother who is sent to America and returns with delusions of having committed cruel acts while there, has fallen a victim to the hereditary taint.

One of the best high-grade feebleminded characters in fiction is the boy in Miss Willa Cather's *Paul's Case;* while the late crop of novels has produced psychopathic personalities of many varieties, some of whom are purported by the author or supposed by most readers to be insane, such as the Father in *Mary Lee*, by Geoffrey Dennis, a monster of cruelty and religious fanaticism; and the "Mad Messiah" in *The Ragged Messenger*, by W. B. Maxwell, who, after having been an epileptic in youth, developed the belief that he was divinely inspired. In a recent novel, *The*

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Orissers, Mr. L. H. Myers has sketched an interesting psychopath, Cosmo, who quickly got beyond his creator's control.

A unique study of psychopathic personality in literature has come from Italy, *Un Uomo Finito*. In it Signor Giovanni Papini has given a revelation of his morbid childhood, his raging adolescence, his furious flights from reality, his near-delusions of grandeur which led him to aspire to omnipotence but to fall short of being able to believe himself a god, and his descent into the depths of depression, as these states have never been offered in a single volume the record of a single life. It is admittedly autobiographic and Signor Papini's present piety fits in admirably to the personality.

An open question remains as to whether or not the great advance in the study of morbid psychology witnessed by the present age has been or is being reflected in the fiction of the same period; whether, with the widespread interest in the subject, any of the psychopathic creations of modern novelists surpass in understanding, in presentation or in power of appeal those of Dostoievsky, Ibsen, De Maupassant and other writers of the past century.

It is desirable that we should become saner both as individuals and as nations. That we are becoming less so as individuals the statistics of institutions for the insane would seem to prove; that we are becoming less so as nations needs no proof, but if it did I could readily supply it. We get the Laocoön grasp on disease when we know whence and how it comes. We await this information in regard to insanity. Meanwhile it only throws sand in the gearbox of the available machinery for finding out about it to create literature in which established facts are misrepresented. If we are going to have insanity in fiction, let us have the real thing.

JOSEPH COLLINS.

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OF STANDARDS

BY HENRY RUTGERS MARSHALL

THAT tastes in regard to the attribution of beauty are very diverse and variable is a fact that is constantly forced upon our attention. That it has been patent to men of the past, as it is to us, is indicated in the formulation of the proverbial phrase *de gustibus non est disputandum.* In truth this variability of taste often raises the question whether there are any reliable standards in the realm of æsthetics at all, whether one man's taste is not as well founded as that of any other.

Nevertheless we find a large proportion of those who consider this question seriously convinced that there must exist some really fixed æsthetic standards, if we could but discover them. Indeed even those who hold that dispute in regard to matters of taste is bootless will balk when it is suggested that their position involves the notion that there is no warrant for the belief in the experience of objective beauty apart from the objectified experience of the one who receives the impression.

When we attempt to determine which of these sharply contrasted views is justified we naturally recall the fact that standards exist not only in the field of Beauty, but also in the fields of what we know as the True and the Good, and this in turn reminds us of the very generally accepted grouping of the Beautiful, the True (in the sense of the valid), and the Good (in the sense of the morally good).

We habitually distinguish our experiences as relating (1) to impressions upon us, (2) to our reactions upon these impressions, *i.e.* our self expressions, and (3) to experiences relating classes 1 and 2, in the realm of thought. It would appear therefore, as I argued in an article in *The Philosophical Review* for October, 1922, that we naturally accept the triad, the Beautiful, the Good, and the True, as mutually independent, mutually exclusive, and exhaustive, because the Beautiful is the Real of

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impressional experience, the Moral Good the Real of reactive experience, *i.e.*, such of our impulses as we would wish to make the persistent guides of conduct; and the True, in the sense of the valid, the Real in the realm of thought, which is concerned with the correlation of our impressional and reactive experiences.

If then this commonly accepted division of the Real is warranted, as it appears to be, the Valid and the Moral Good must display the same general characteristics that are found in the Beautiful; and it would seem probable that the origin and modes of development of our æsthetic standards, which embody such stability or realness as can be maintained in the realm of impression, will find their correspondents in the origins and modes of development of our standards in the realms of the Moral Good and of the Valid. So if we examine the characteristics of our experiences that lead to our acceptance of standards of beauty, we may expect that light may be thrown upon the nature of our appreciation of standards in general.

It may appear to some, however, that such a comparison is not likely to yield fruitful result, for it may be said that the lack of fixity of standards in the realm of beauty contrasts markedly with the fixed nature of standards of validity and of moral goodness; that it is just because of this contrast that our attention is called to the fact that standards of beauty are very varied in men of diverse types, and vary from time to time in the same individual.

But surely this objection does not hold. It is true that on broad lines standards of validity appear to be definitely fixed; for instance, no ordinary man will question that two added to two yield four. And yet careful thought shows us that conceptions of validity held by the barbarian, and indeed by some highly civilized races, differ radically from our own. And even in the world of science, where the rigidity of conceptions of validity are in the main most clearly evidenced, we find very marked changes within relatively short periods of time.

When we turn to the realm of ethics we find fixity of standards still more questionable; a point that becomes very evident when we consider how divergent are the conceptions of morality among peoples differing widely in cultural development. Murder, for

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instance, is very generally reprobated throughout the civilized world; but we cannot avoid taking into account the standards in this particular of the Thugs in India, who made murder a matter of religious duty, and of the Maffia in Sicily. And we see furthermore that even among those of our own type no two men of our acquaintance agree with any degree of exactitude as to what is of the essence of moral conduct.

Such an examination of patent facts leads us to see that the most we can say with any assurance is that in the realms of validity and of morality there is a certain limited fixity of standards, but also a considerable vacillation in regard to them; and that the main point formulated in the proverb *de gustibus non est disputandum* is that the standards of beauty are much less fixed, and much more vacillating, than those of validity and of morality. For it cannot be held that there is no such thing as a relative fixity of æsthetic standards. No competent architect, for instance, designs a column without a capital; which means that all agree that a column must have its capital if it is to impress us as beautiful.

The fact that standards in the realms of validity and of morality are much less vacillating than those in the realms of beauty calls for explanation; but it does not take from the fact that the study of the nature of our standards of beauty and of their mode of development may throw light on the nature of our standards of validity and of morality, and their mode of development.

In turning to this study it may be remarked in general that the mere appreciation of beauty, as of a sunset; the mere experience of an impulse to act that is at once followed by the act; the everyday acceptance of facts as indubitable; involve no experience of, or reference to, standards. Only when we reflect to some degree, and compare the present experience with other experiences of our own, or of other men, do standards emerge.

When, however, together with a given impression, say of a certain musical composition, which involves the sense of beauty, there appear revivals of similar impressions which involved no such sense of beauty, we appreciate the contradictions and choose the former as the one of the opposed experiences which we would maintain. We thus establish æsthetic standards from

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moment to moment which are evidently purely individualistic, and these constitute what we speak of as a man's personal taste at a given time.

By a similar process each of us establishes for himself individualistic moral standards, and individualistic standards of validity which determine his beliefs. It is the sum total of a man's individualistic standards of morality and of validity that determine what we call the character of the man in the one case, and that lead us, in the other case, to think of him as clear-headed or foolish.

The most ordinary of men can scarcely fail to note that his personal tastes change from time to time; and if he reflects at all he must perceive that his character is altered, and that the nature of his beliefs changes, in the course of his development. Nevertheless the careless man rests satisfied with his purely individualistic standards in all these fields as they exist from moment to moment: he rests assured that what he admires at any given time is the really beautiful, that what he now thinks morally good is the real moral good, that what he now believes to be true is the really true; and he contents himself with the notion that so far as his present standards differ from those that he formerly held it is because in his past he was blind, as are all who differ from him today.

This attitude yields æsthetic, moral and scientific dogmatism. That it is an entirely unwarranted attitude becomes at once clear when one notes how far the individualistic standards on which it is based are moulded by habitual influences due to special environmental and educational conditions.

That these purely individualistic æsthetic standards govern the thought of all of us to a greater or less degree cannot be questioned; yet it must be agreed that they are in a sense unnatural and in a way morbid. For man is essentially a social being; he is what he is because he is one of a social group; he can never isolate himself completely.

Now we all long for, and search for, that in experience which has stability, which appears to be real; nothing is more disconcerting, or even under certain conditions more alarming, than uncertainty. Naturally then when men note the variability of

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recognizedly individualistic standards they, being social beings, compare their own with those of their fellows, and gain courage in upholding their own so far as they find them in agreement with those of other men. Confidence in our own standards is thus largely dependent upon the mere number of those with whose standards we compare them; a fact which makes apparent the significance of breadth of view on the part of one who would gain this confidence.

Where we find that our own view is in agreement with that of all men of all types in regard to the beauty of an object,—for instance, the rainbow,—we find so great a stability or realness that we are ready to hold that particular beauty to be an absolute and objective Real; for all men tend to objectify all experiences that have a maximum of stability or realness. It is because of the approximation to this general agreement as to the beauty of many objects, and because of this tendency to objectify all that seems very real, that men find it so difficult to accept the view that beauty is determined by our attitude toward objects perceived rather than by some specific characteristic of these objects.

Similarly, where we find that our own view is in agreement with that of all men of civilized types as to the morality of a given act,—for instance in the reprobation of incest,—we find so great a moral stability or realness that we are ready to hold that moral judgment to be founded upon the recognition of a moral absolute which is over and above personal judgment, and is an objective Real.

And again where we find that our own beliefs are in agreement with those of all men of all civilized types with whom we are acquainted,—as for instance our belief that 2 plus 2 make 4,—we find so great a stability or realness that we are ready to hold that these beliefs are founded upon the recognition of an absolute Validity which is over and above personal judgment, and is objectively Real.

It is because of the approximation to this general agreement as to certain moral tenets and as to certain beliefs, and because of this tendency to objectify all that seems very real, that men find it so difficult to accept the view that morality and belief are based upon personal judgments.

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But careful attention to the comparison here referred to soon leads us to see that we cannot gain the stability we long for by the consideration of mere numbers; for we at once feel that the standards of some whose views we take into account have greater weight than those of others; and this because the standards of those upon whose views we place the greater reliance have been reached by a fuller process of comparison than those of men in general. We thus tend to bring our own standards into harmony with those of men of the broadest æsthetic, moral and scientific culture. These considerations lead us to see how important it is, if we are to develop our standards, to extend our view as far as may be; to weigh carefully the training of those whose standards we compare with our own; and above all to maintain an attitude of openmindedness.

The tendency to rely upon the judgments of others with whose standards we compare our own leads in the end to the formulation of standards of tradition. In the realm of æsthetics these have their great values, principally as the historical record of the experience of artists and masters of criticism in the past by whom they have been formulated. They are not stumbling blocks in the path of the artistic genius of unusual insight as so many take them to be; rather are they guides to him lest in his ardor he be led to stray into paths which our æsthetic ancestors have found to yield results that have no permanent appeal.

Slavish reliance upon tradition will indeed lead to no advance toward the goal of the artist; but the artistic genius should always take these traditional standards for what they are—the advice of those of the past who have been interested, as he is, in the production of beauty. By listening to such advice, and judging it on its merits, the artist is more likely to gain his end than if he fails to regard it. Nevertheless he is thoroughly justified in contravening tradition, if he recognizes the risk he takes; for perchance he may thereby add a new richness to the æsthetic field, and thus lead to the establishment of a newer and more enlightened tradition.

Turning to the field of Ethics we may note in passing certain instances showing how far a man's moral standards depend upon social experience, with the comparison of standard that goes

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with it. Each trade has its own peculiar normal moral standard which varies as the tradesman's acts are more or less open to criticism which he must heed. The business standard of the carpenter, most of whose work is ever in sight, is distinctly higher than that of the plumber, whose work we find it disagreeable to examine. The clergyman of narrow experience who is called to be the head of a large parish with many ramifications, or perhaps is elected a college president, and who thus suddenly finds himself dealing with business matters in regard to which he has had no natural training, is all too often guilty of acts that seem tricky to the experienced man of affairs whose contact with the world has compelled him to the consideration of business ethics.

When we study moral standards of tradition we again find that they have great value because they are the historical record of the experience of moral leaders in the past, by whom they have been formulated. They are often looked upon as unwarranted restrictions upon conduct by those who seem to themselves to have gained special moral insight. They really are guides to man lest he stray into moral paths that the ethical leaders of the past have found to lead to results that have no permanent appeal.

Slavish reliance upon ethical tradition will indeed lead to no advance in morality. But the ethical reformer should take these traditional moral tenets for what they are—the advice of those of the past who have been interested, as he is, in moral improvement. By listening to such advice and judging it on its merits, he is more likely to gain his end than if he fails to regard it. Nevertheless the moral reformer is justified in contravening moral tradition if he recognizes the risk he takes; for thus alone have moral advances been made in the past, and thus alone can they now be made.

Turning to the consideration of traditional standards of validity, we find the same general situation. We see when we consider the nature of traditional beliefs, that they have their great value as the historical record of the experiences of men of wisdom in the past by whom they have been formulated. They are all too often looked upon as little more than obstructions to scientific advance by those who think they have gained special in-

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sight; while they are really guides to men of today lest they overlook certain considerations that students in the past have found of value, and be thus led astray into paths that the wise have found to point to no results that have permanent validity.

Slavish reliance upon traditional beliefs will indeed lead to no growth in wisdom. But the scientific workers should take these traditional beliefs for what they are—the advice of those of the past who have been interested, as he is, in gaining a deeper insight. By listening to such advice, and judging it on its merits, he is more likely to gain such insight than if he fails to regard it. Nevertheless we are thoroughly justified in casting aside these traditional beliefs if we recognize the risk we take; for thus alone have men advanced in wisdom in the past, and thus alone can they advance today.

All this brings into clear view the fact that each man's judgments as to beauty, goodness and validity, must always be, and must always remain, thoroughly individualistic,—his own personal possession,—however much they may be altered and refined by his own studies, and by his appreciative attitude toward the judgments of others.

We thus see that our standards in the several fields covered by the True, the Good and the Beautiful have the same origin and the same process of development, emerging as they do in the course of our search for stability or realness. It would thus seem clear that the basis of the variability of fixity of standards in the three realms which initiated our study will be found, not in their form, but in the nature of the material with which we have to deal in the three cases.

If our standards are formed by the reflective examination of our experiences, then so far as any of the elements essential to the experiences in any special field are variable, the uncertainty of our standards in that field will be augmented, and will be called to our attention.

Now in the field of validity we deal mainly with experiences which are directly or indirectly based upon the perception of objects or objective conditions, and these do not appear to change materially during the time under consideration. In the moral field we are dealing with our impulsive experiences, which

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contain no elements that are in themselves essentially variable; but, being personal, they are not stabilized by immediate reference to the objective world as is the case in the field of validity.

When however we turn to the field of beauty, we find the case altogether different. Here we are dealing with impressional experiences which, whether induced by stimulations from without, or from within so to speak, display a very welter of instability, a constant shifting from one form to another. In our search for stability in the impressional field therefore we find ourselves forced to look for some quality of the unstable impressions which under certain conditions may have this longed for stability. Such a quality we have at hand in pleasure which, in Herbert Spencer's words, is "a feeling which we seek to bring into consciousness and to retain there"; in other words a quality of impressional experiences which we spontaneously tend to make stable.

Now our sense of beauty is an impressional experience which is always pleasant; and we are thus led to see how it happens that beauty comes to be identified with the stable or real of impressional experience.

Yet even here we find ourselves baffled in our search for stability; for we find that specific impressions that are pleasant soon lose their pleasure quality if maintained in attention—the evanescence of specific pleasures has become proverbial. Nevertheless we may and do gain pleasure fields (*i.e.*, impressional fields of varied elements each of which is pleasant), which may be maintained for some length of time by the shifting of attention from elements to elements so that as the pleasure in one set of elements disappears these elements fall into the background to be replaced by other elements that yield full satisfaction.

Such persistent pleasure fields of impression constitute the experiences of beauty. In the very nature of the pleasure which constitutes them indeed they tend to lose this characteristic of permanence which can only be maintained by recourse to elaborate devices.

To describe these devices in detail would take us too far afield; but as an instance we may mention the artist's use of rhythms of

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various types. He has recourse to many other artifices serving the same end, most of which have become so natural that their significance in the direction referred to is usually entirely overlooked.

It is to be noted, however, that no amount of skill will suffice to make any impressional field permanently pleasant. The fields of beauty can never be more than relatively permanently pleasant; in other words no impression can continuously yield the sense of beauty. The best that we can do is to lengthen the experience of beauty by intermittences of the impressional experience, so that at each of many recurrences the impression yields a relatively permanent pleasure field. In such case the word beauty may become indissolubly attached to the impressional experience, so that we come to speak of the object as beautiful long after it ceases to give us any real æsthetic thrill.

It seems to me that the above considerations taken alone should give us ample reason to expect to find, as we do find, that our standards of validity appear to have a maximum of stability, that our ethical standards seem less stable, and that our standards of beauty display variability in marked degree.

But there is another cogent reason why we should look for this difference of stability of the standards in the several fields.

It may be of practical importance to mankind in certain cases to come to agreement as to the standards that are worthy; while in other cases it may be quite unimportant to man's welfare whether or not such agreement is reached. Thus it would appear that standards are likely to become more fixed where such fixity is serviceable to man.

In the struggle for preëminence which has been so essential to man's advance it has been of the utmost importance to him to discover the truth, to gain certainty as to matters of fact. It has been of less, although still of great, importance to him to come to agreement in relation to what is good in conduct. In the long run the more accurately we learn to distinguish truth from fallacy, and good from evil, the greater advantage we have in the battles of life.

On the other hand it has made very little, if any, difference to man in this struggle whether he has, or has not, gained insight

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into the nature of beauty, and in regard to its distinction from ugliness.

If then our standards gain in fixity in proportion to the degree in which their appreciation meets urgent demands, we should expect to find exactly what we do find, *viz.*, that our standards in the realms of the valid, and of the morally good, are very much more fixed than our standards in the æsthetic realm.

Since writing the above I have found in the quaint words of Edmund Burke in his *Essay on Taste* an approach to his explanation of the fact here under consideration:

> It appears to be generally acknowledged that with regard to truth and falsehood there is something fixed. . . . But there is not the same obvious concurrence in any uniform or settled principle with regard to taste. . . . There is so continual a call for the exercise of the reasoning faculty . . . that certain maxims of right reason seem to be tacitly settled among the most ignorant. . . . If taste has not been so perfectly cultivated, it was not that the subject was barren, but that the laborers were few or negligent; for . . . there are not the same interesting motives to impel us to fix the one which urge us to ascertain the other. And, after all, if men differ in their opinion concerning such matters, their difference is not attended with the same important consequences, else I make no doubt but that the logic of taste, if I may be allowed the expression, might very possibly be as well digested, and we might come to discuss matters of this nature with as much certainty, as those which seem more immediately within the province of mere reason.

HENRY RUTGERS MARSHALL.

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RENÉ BOYLESVE—AN UNSUNG "IMMORTAL"

BY AARON SCHAFFER

To Americans who may boast of at least more than a passing acquaintance with French literary activity of today, the names of the most important writers who are at the present moment members of the French Academy call up very definite images. Many are those who have read one or another of the novels of Paul Bourget, René Bazin, Maurice Barrès, and, until recently, Pierre Loti; just as many are familiar with the drama-sermons of Brieux, the psycho-analytical tragedies of Curel, the social dramas of Lavedan, and the delicious comedies of Robert de Flers; whilst lovers of poetry remember with pleasure the polished verses of Henri de Régnier. The name of Anatole France, of course, has become a word to conjure with, even in these United States. But just as widely known in America as is the work of Anatole France, so completely unknown is the literary output of another of the "Forty Immortals", one whose genius is so thoroughly Gallic as to place him in the very front rank of contemporary French novelists—René Boylesve. Nor is it wholly surprising that Boylesve should be unknown here; for even in France, where his novels go through numerous editions, he has attracted comparatively little attention in the critical world. So true is this that virtually the only source of information regarding the facts of Boylesve's life is the discourse of Henri de Régnier, read in reply to the *discours de réception* delivered by Boylesve on the occasion of his entrance into the French Academy on Thursday, March 20,1919.

It is, then, to Régnier, who is the present *directeur* of the French Academy, that we are indebted for a knowledge of the essential details of Boylesve's life. In the conventional style of the *discours de réception*, Boylesve had traced the life and work of Alfred Mézières, whose vacant seat he had been elected to fill, and

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had acknowledged his indebtedness to Paul Hervieu, through whose efforts he had attained to the rank of Academician but who had died before he could see his efforts crowned with success. Régnier, thereupon, arose and welcomed Boylesve into the Academy in an address which is here briefly summarized.

René Boylesve, Régnier told his audience, was born on April 14, 1867, at La Haye-Descartes, a village in the Touraine. Here it was that, in 1596, when the name of the town was simply La Haye, the celebrated philosopher, René Descartes, had been born, in appreciation of which honour the town later added to its own name that of the greatest of its sons. It is not known whether or not the parents of Boylesve had in mind the philosopher when they baptized their son; but, be that as it may, the given name augured well for the child. Certain it is that Boylesve's childhood, spent in his native village, made a vivid impression upon him, for reminiscences of this period are reflected in much of the work of his maturer years. Even as a boy (as Boylesve later confessed to Régnier), he felt the call of letters, for, at the ripe age of seven, he was inspired, by the reading of an account of the death of Lamartine, with the desire to emulate the great Romantic poet. He did not actually make the acquaintance of the literary work of Lamartine until he had reached the age of fifteen, when he borrowed a filthy copy of *Jocelyn* from a bookseller, and read it through in one night by the light of a candle. This unusual feat was an unmistakable evidence of Boylesve's literary proclivities.

Descended from a family of barristers, Boylesve received a very thorough education. He studied, successively, under the Jesuits, the Picopucians, and an independent priest before attending any state educational institution. He completed his secondary education at the *lycée* of Tours; having obtained his *baccalauréat*, he was sent to Paris to prepare himself for a career. None of the professions, however, attracted him, and so he dabbled, for a while, in many subjects. He attended lectures at the Sorbonne, at the *Ecole des sciences politiques*, and at the *Ecole du Louvre*, all the while working for, and finally obtaining, his licentiate in the law. But Boylesve had no desire to become a teacher or a diplomat, an archæologist or an attorney, and, being

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plentifully supplied with funds, he merely, as Régnier tells us, "cultivated letters".

But although Boylesve was a literary dilettante, he was by nature rather reserved, almost troglodytic. For this reason, he did not join any of the groups that sprang up so abundantly during the symbolistic period that may be said to have extended, roughly, from 1881 to 1900. He did not frequent any of the taverns—the *Cave des hydropathes*, the *Chat noir*, the *Hirsutes*—so popular with the young writers who gathered about Verlaine, Mallarmé, Villiers de l'Isle Adam, Moréas, and the other idols of the day—idols at whose feet, it may be remarked, in passing, Régnier had himself been a fervent worshipper. Boylesve belonged to no school, no *cénacle;* he was neither Symbolist nor Decadent. Shutting himself up in a Vigny-esque sort of "ivory tower", he read and wrote, studying to perfect himself in the art of which he was soon to become a master proponent. Here, of course, is the reason for the fact that Boylesve has always been so little known; avoiding the mob and shunning all sensationalism, he has, naturally, attracted but little attention. So retiring is Boylesve that, on the appearance of his first book, he received three invitations from Daudet to visit the latter at his villa at Champrosay, and the genial Provençal had finally to threaten to send his own carriage to fetch the neophyte before he made up his mind to accept.

Because of Boylesve's antipathy to publicity, his first printed work—short stories and sketches—appeared in various journals of the day over different pseudonyms, so that his identity remained in total obscurity. Perhaps the first bit of published writing to which Boylesve signed his real name was a sketch entitled *La Sensation d'une patrie* and printed as the daily *chronique* for the issue of January 20, 1895, of a Paris daily called *La Cocarde*. During the six months from September, 1894, to March, 1895, this journal had as its editor in chief and political director the now celebrated novelist, Maurice Barrès. Among the contributors whom Barrès assembled about him were to be numbered such men of real talent as Charles Maurras (still actively engaged in the journalistic profession as associate editor of the conservative Paris daily, *L'Action française*, and now an avowed candidate

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for election into the French Academy), Hugues Rèbell, and the brothers Paul and Joseph Pascal. It was in *La Cocarde* that Boylesve's first novel, *Le Médecin des dames de Néans*, was printed. This work appeared in serial form from January 26 to March 7, 1895. On the latter date, Barrès, for political reasons set forth in a signed editorial, withdrew from the editorship of the journal, taking with him Maurras and other members of the staff. Though the March 7 instalment of Boylesve's novel concluded with the usual "*A suivre*", and though Boylesve himself gave no indication of desiring the publication of the novel to be discontinued, no more instalments appeared, despite the fact that only twenty-one of its thirty-two chapters had been printed. It was not long, however, before the novel was given to the public in its complete form, for, in the following year, 1896, *Le Médecin des dames de Néans* was published. It may be noted here, incidentally, that Boylesve always retained a warm feeling for *La Cocarde*, which had been the medium for introducing him to the French reading public. Writing from Nice on April 5, 1910, to Henri Clouard, whose little book, *La Cocarde de Barrès* (Paris, 1910), sets forth the brief history of Barrès's relations with that journal and reprints all the editorials contributed to it by him, Boylesve refers sympathetically to his ephemeral connection with this periodical.

Since the appearance of his first novel Boylesve's life has been the uneventful, secluded existence of one who has consciously surrendered himself to the profession of *littérateur*. He has remained almost uninterruptedly in his native land; in 1897, however, he made a trip to Italy, in the hope of finding there the inspiration which had been vouchsafed to Goethe, Shelley, Byron, Landor, and his own fellow countryman, Paul Bourget. His Italian trip found echo in two novels, *Sainte-Marie des fleurs* (Paris, 1897) and *Le Parfum des îles Borromées* (Paris, 1898). Since then, Boylesve's pen has been steadily active. In all, during the quarter of a century since he made his bow to the literary world, Boylesve has published eighteen volumes, of which five contain stories and sketches and the remaining thirteen are novels.

Though Boylesve's work is, in the main, marked with the stamp of originality which characterizes the true genius, there are influences to be noted which prove him to have had distin-

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guished literary antecedents. Here and there may be observed traces of the Montesquieu of the *Lettres persanes*, of Voltaire, Renan, and Anatole France, of Sainte-Beuve and Taine, of Balzac and the Goncourts. He has always written from observation, feeling, and recollection, rather than from active participation in life. His naturally keen sense of observation unites in all his novels with a warm poetic faculty, the two elements balancing one another so as to produce an atmosphere of "wounded idealism". This habit of studying life from above and without—after the manner of Vigny, whose statue dominates the town in which is laid the scene of *L'Enfant à la balustrade*—renders Boylesve's novels free of prejudices and preconceptions, of theoretical and metaphysical theses, even of dramatic incident. The novelist attempts to be impartial—and is often ironical and skeptical. He has no complicated fictional technique; he is, for Régnier, "the least systematic of authors". "Perfection," says Régnier, "resides in extreme simplicity realized by extreme sincerity;" and in Boylesve he finds simplicity and sobriety of style matched by thorough sincerity of treatment.

Boylesve objects to being grouped among the "novelists of the provinces" headed by such French writers as René Bazin and Henri Bordeaux. It is, nevertheless, true that his very greatest novels draw their inspiration from his native Touraine. Often one notes in his work touches of that other son of Touraine who attempted to imprison the whole of the "human comedy" within the pages of a series of novels. In any case, Boylesve is characteristically French in his love of his native land, his appreciation of its life and customs, and his *sensibilité* moderated by a Gallic sense of irony. In his feeling for proportion, in the measured beauty of his style, Boylesve has in him much of the classic; he is, thus, a composite of all that is best in present-day French literature.

A critical consideration of a few of Boylesve's most representative productions may serve to reveal his outstanding literary qualities. For his early period, when he was still in the formative stage, and after he had spent some time in Italy seeking the inspiration that might be offered by that "land of romance", we may examine his *Le Parfum des îles Borromées* (1898). This is a

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tale with a highly romantic plot, treated, after the fashion of Mérimée, in a comparatively sober style that is plainly an attempt to minimize the flamboyance of the subject matter. We have here a rather banal narrative of adultery in a cosmopolitan group—somewhat similar to that of Bourget's *Cosmopolis*—assembled on the *Isola Bella*, one of the enchanted isles in the Lago Maggiore. The passionate intrigue of the two central personages is set off by a sub-plot in which the actors are an English poet and an Italian flower girl, the latter of whom is eventually assassinated by the Borromean fiancé to whom she had proved unfaithful. The *ensemble*, patently the work of a beginner, is the sort of *risqué* tale that Americans usually associate with yellow-backed French novels; its Gallic strain may best be illustrated by the fact that the English poet, Lee, is looked upon by all the Latins in the company as being decidedly "bizarre" because of the fact that he had remained virgin in his relations with women. The salacious cheapness of the plot, however, is redeemed by numerous passages of real descriptive artistry, of which one may be cited here by way of illustration:

> And as they raised their eyes, a new beauty dazzled them. Two gaps, one outlined by the muscular arm of a giant oak, the other cut out by the foliage of the camphor trees and the hollies, revealed to them the southern corner of the lake and Pallanza, the white city nestling on the brink of the water like an idle little girl waiting for it to grow cool before plunging in her feet. The sun, behind the mountains at that moment, was setting prematurely; a breeze was flitting across the lake without attaining the interior of the island; gold-laden clouds rose aloft, and Pallanza, suddenly animated, assumed the hue of a tea rose or of the skin of a fair maiden. The water seemed to become soft and thick as cream and to take on a bluish tint. All at once, the mountain tops disappeared; everything was resolved into an universal pearl gray. The moment was freighted with caresses that were almost too sweet.

Superior to *Le Parfum des îles Borromées*, though itself by no means a masterpiece, is *La Leçon d'amour dans un parc* (1902). Here we have a story that is so frankly lascivious as to be almost unpardonable to the Anglo-Saxon; indeed, the reader is warned in the first chapter that he is about to be treated to a *conte libre*. A tale of sheer imagination, having as its setting the romantic valley of the Loire in that Touraine which the novelist knew and loved, Boylesve heaps wanton episode upon wanton episode in

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the care-free strain that has lent charm to French literature ever since the days of the *fabliaux*. We almost seem to hear, laughing robustiously at the licentiousness of it all, jovial old Rabelais, to whom Boylesve actually refers in the course of the *Leçon d'amour* as "our own jocund Shakespeare". And we may imagine the shades of Molière and La Fontaine, of Montesquieu and Voltaire, chuckling in glee at the pranks and the conceits of this story. The man who wrote *La Leçon d'amour dans un parc*, though he was rapidly approaching middle age and though he had already produced at least two highly serious novels that rank among his masterpieces, was still young in spirit and joyous at heart.

A word as to another of what may be styled Boylesve's "minor novels", and then we may pass to those of his works upon which his fame will undoubtedly rest. In *Le Bel avenir* (1905), we again have a rather commonplace plot, treated with sufficient originality to raise the novel above the dead level of the average. It is the story of the struggles of three young men—two provincials and one Parisian—to win to brilliant careers; the whole is given a rather ingenious twist by the fact that it is related from the points of view, not so much of the three young men as of their mothers, each ambitious for the success of her son and each doomed to suffer a "disillusioning awakening". In this story, in which there is undeniably much that is autobiographical, Boylesve shows himself to be as familiar with Paris as with his native Touraine; his descriptions of the life of the French capital, whether it be that of aristocratic Rue de Varenne in the Faubourg Saint-Germain or that of the students in the Quartier Latin and the Jardin du Luxembourg—are just as skilful and as convincing as are his portrayals of life in the provinces. Boylesve seems, in *Le Bel avenir*, to have accepted the assurance of Anatole France, always amusedly given, that virtue is not its own reward; for of the three young men aiming at success, it is the winsome rake, who has "a way with the women" and who cares little or nothing for his studies, who, by sheer force of personality, comes closest to attaining his goal; the other two, "grinds" who win all the honors at school, are left far behind in the race. The amours of Alex Dieulafait d'Oudart, the dashing law student who is the

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hero of the tale, are treated with the deft levity that characterize *The Revolt of the Angels* and *The Cook-Shop at the Sign of the Web-foot Queen;* Boylesve appears here to have learned well the stylistic lessons of the master, Anatole France.

Of the sum total of Boylesve's novels, three stand head and shoulders above all the rest, and deserve to be numbered among the most noteworthy productions in present-day French fiction. These three novels, *Mademoiselle Cloque* (1899), *La Becquée* (1901), and *L'Enfant à la balustrade* (1903), illustrate vividly all the novelistic tendencies of their author. In these novels are revealed those qualities which make of Boylesve primarily a Frenchman among Frenchmen—his love for his ancestral province, his firm belief in the necessity of family solidarity, his reverence for Catholicism despite all its defects, to which he himself is by no means blind. In a word, we have here the writer of classical tendencies, the man whose election to the French Academy was a foregone conclusion once his work received the prominence it merited. In none of the three novels is the plot of prime importance; in all of them, we have skilful bits of characterization and faithful handling of setting. And, above all, we have the writer who knows the value of the *mot juste*, whose style is imbued with personality and rich in figurative ornamentation though never over-adorned. In these three novels, Boylesve is describing the life of his native Touraine, and it is plain that he is doing so *con amore*.

The reader of *Mademoiselle Cloque* is forcibly reminded of Balzac's *Le Curé de Tours*. In the first place, the scene of the two stories is laid in the same city, Tours; and both authors are at such pains to present a precise picture of the setting that this fact is kept constantly before our notice. Moreover, the theme of the two novels is essentially the same—that of the pettiness and the intrigues which often rob the Catholic church of much of its dignity and worth. In neither case is the author attacking Catholicism as a religion; in point of fact, both novelists are devout Catholics. But both are aware of the human frailties of many of those who wear the sacerdotal insignia and of many more of those who profess to be sincere believers, though mere laymen; and it is these frailties which, in their capacity of observers and painters of life

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as they know it, both Balzac and Boylesve hold up to our attention. And just as, in *Le Curé de Tours*, Balzac has achieved a deathless portrayal of the weak, spineless, comfort loving, simple minded, but withal ambitious, churchman, so, in the heroine of *Mademoiselle Cloque*, Boylesve has painted an unforgettable portrait of the uncompromising, firm principled, high souled spinster to whom her religion has come to mean all. The chicaneries of the priests in the two novels of Balzac and Boylesve call to mind a third and similar novel, Ferdinand Fabre's *L'Abbé Tigrane*. In these three works, the subject of ecclesiastical intrigue, which often descends to the basest deception or the most callous cruelty, is treated with a finality of perfection that leaves nothing in this field for future novelists to attempt.

The "fine flower" of Boylesve's genius is undoubtedly to be found in *La Becquée* and its sequel, *L'Enfant à la balustrade*. A third novel, *Mon Amour* (1908), completes a trilogy that vaguely resembles the Arnold Bennett trilogy composed of *Clayhanger*, *Hilda Lessways*, and *These Twain*. The characters of the first two of the Boylesve novels are, for the most part, the same, even down to the gardener, Cadoudal; but in *Mon Amour*, the action of which takes place some twenty years after that of its predecessors, these people are merely referred to, most of them having died in the interval. All three novels are told in the first person, the speaker being the same individual in each case. The trilogy serves as the vehicle for developing, if not even insisting upon, Boylesve's belief in the essentiality of family integrity. In *La Becquée*, the boy who tells the story is only about five years old, and the whole is a very calm, smoothly flowing narrative of a provincial French family dependent upon one wealthy relative for its "beak-full", and patiently awaiting her death in order to divide the inheritance. The book is a veritable portrait gallery, and the characterizations of the boy's erratic grandfather, his ever worried grandmother, his businesslike great-aunt, the *oncle à la mode de Bretagne*, and all the other numerous relatives who put in their appearance, are very life-like and sympathetic; one sees that Boylesve knew these people, and one is tempted to conclude that most of them are modeled after members of his own family. And in *La Becquée*, Boylesve's style dis-

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plays qualities that almost match those of a Flaubert. Many are the passages that one might quote, wherein Boylesve's descriptive powers equal those revealed in *Madame Bovary*. Boylesve, moreover, always avoids the pitfall of over-sentimentality and over-didacticism that so frequently ensnares his two fellow countrymen, fellow members of the French Academy, René Bazin and Henri Bordeaux, who have appointed themselves, in fiction, the advocates of pride of race and loyalty to one's country. Boylesve is ever the observer, never the preacher; and his work has the ring of true sincerity that comes from absolutely impartial objectivity.

At the beginning of *La Becquée*, the boy loses his mother; at the end, he is found to be the sole inheritor of the immense wealth of his great-aunt, who thus manifests her displeasure with the relatives whom she had so long been supporting and who had so long and so openly been hoping for her death. In *L'Enfant à la balustrade*, the boy's father, after a widowerhood of three years, has remarried, and the boy continues the narrative of his life and his observations on the goings and comings of his relatives and their friends. Here again, the incidents of the plot are of little significance; it is the mirroring of small-town life—the political intrigues, the social squabbles—that holds our interest from beginning to end. As in *La Becquée*, the characters of the story are delineated with a master hand; not the least important of these characters is the bronze Alfred de Vigny who overlooks the town, "a stranger to its gossip, its quarrels, its pettinesses—at once despairing and calm". The boy, now rapidly approaching adolescence, frantically asks of the mute poet: "What do you see? What do you see, you who seem to be above and beyond us?" This question is not answered in *Mon Amour*, though the boy has ceased to be a child and is now a man of middle age. *Mon Amour* is the story, in diary form, of one year out of this period of the boy's life. This year is made eventful by the fact that the hero falls violently in love with a beautiful woman of about thirty years of age whose husband has deserted her for an actress. The love affair remains for a long time on the heights of intellectual companionship, the woman refusing to be unfaithful even to a faithless husband, but it then descends, for a brief

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moment, to the realities of earthly passion. At the return of the husband, however, the wife, who is "of those who are born to be the wife of one man alone", immediately forgives, and the short-lived idyll of lover and mistress soon comes to an end. The plot is a very slender affair, propped up by occasional excellent bits of nature-description and by meditations which are generally platitudinous in character. *Mon Amour* is distinctly inferior to *La Becquée* and *L'Enfant à la balustrade*, and it is scarcely to be hoped that Boylesve will ever again produce anything to equal these masterpieces.

Though his *Madeleine jeune femme* (1912) was crowned by the French Academy, Boylesve seems himself to have realized that his period of productivity was at an end. The World War roused him from his literary lethargy for a moment. In 1918 there appeared his *Tu n'es plus rien*, a novel recounting the experiences of a young woman of high social standing who has lost her husband in the first weeks of the war and then serves her country as a nurse in a Red Cross hospital. Though this novel is in no way equal to Boylesve's greater works, suffering, as it does, from the enforced inconclusiveness that mars Wells's *Mr. Britling Sees It Through*, its sobriety, its comparatively dispassionate study of France during one of the most trying periods in her history, probably went a long way towards opening the doors of the French Academy to its author. Since his election as one of the Forty Immortals, Boylesve has apparently been content to rest upon his laurels and unwilling to risk tarnishing them by the production of inferior work.[1] If this is not the case, however, it is certain that France will read eagerly anything that may yet come from the pen of Boylesve, realizing, as she must, that in him are incorporated all the elements that fuse to make the *esprit gaulois*. And whatever else Boylesve may write, his place as one of the foremost French novelists of the first quarter of the twentieth century, resting securely upon at least three great works, would seem to be assured.

[1] In 1920, Boylesve published *Nymphes dansant avec des satyres* and, in 1921, *Le Carrosse aux deux lézards verts*, but neither of these has added materially to his reputation.

AARON SCHAFFER.

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THE BOOK OF THE MONTH

THE ROYAL ROAD TO AFFABILITY

BY LAWRENCE GILMAN

It is said by the publisher of the famous Book of Etiquette that nearly half a million people have paid $3.50 each for that ineffable Baedeker of manners—which, if neither the publishers' veracity nor our arithmetic is impeachable, means that almost two million dollars have been expended by those who wish to learn the correct thing to do when one's parrot becomes Rabelaisian while the pastor is calling, or what to say to Llewellyn when he draws the attention of the luncheon party to the obvious fact that Uncle Joshua's toupee has become displaced. Doubtless the publishers are right when they tell us that this is an indication of the truth that the Guide is "the recognized authority on the subject of Etiquette among people of culture, refinement, and good breeding everywhere." No doubt it is; and we linger a moment, in passing, upon the mental picture of (let us say) Mrs. Wharton and Mrs. Schuyler Van Rensselaer and President Lowell poring over those sublime chapters while they confront the agitating social problems incident to "the coming wedding, dinner, dance", seeking that "ease, poise, confidence in oneself" which is promised as the reward of a diligent study of the Guide.

It is an inspiring thought—the thought of one out of every two hundred persons among the 100,000,000 of our population deep in those pages, seeking light from the only authentic source of illumination upon those problems of social deportment which will some day be mastered by us all as the Guide continues its peaceful penetration of the home, the office, and the lodge. A nation one hundred per cent refined, one hundred per cent well bred, one hundred per cent cultured: the vision is breath-taking.

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It is far from being an inaccessible ideal. We can, without much straining of the spiritual eyesight, discern an America universally and impeccably refined. Americans have two transcendent passions: the passion for organization, and the passion for social emulation. It is as natural for citizens of These States to form themselves into Junior Orders of American Mechanics, Pythian Sisters, Degrees of Pocahontas, Mystic Shriners, and Improved Orders of Red Men, as it is for Englishmen, with their hankering after privacy and their incurable individualism, to be averse from such group manifestations. Now, imagine these American fraternities, sisterhoods, and associations of one kind and another—from the Improved Order of Red Men to the Colonial Dames—adopting as a common object the acquirement of Complete Refinement. Can you conceive of their being thwarted? If you can, you have failed to note the appalling certainty and swiftness with which the American achieves conformity. For, to those things which, according to the sayings of Bhartrihari, "are insatiable of one another"—"ocean, of rivers; death, of mortals; fire, of fuel; woman, of man"—should be added this other: "Americans, of conformity." That dread of saliency which restrains an American from wearing a straw hat on a warm October day is the same phobia which makes it impossible for him to conceive that there is more than one course of action open to the Well Bred Man when the waiter anoints his shirtfront with *sauce piquante*.

But the Baedeker of Manners concerns itself, after all, chiefly with conduct; What to Say is indicated only when saying is almost equivalent to doing—as when introducing one's son by a second marriage to one's divorced wife. There has been, up to the present time, an uncultivated territory in the campaign for refinement. Our mentors have forgotten that we must converse. But now we need no longer remain in ignorance of the art of successful conversation. Have you ever attended a dinner party "where there have been awkward gaps in the conversation"? Have you ever spent a half-hour with a debutante, a Prime Minister, a Prohibitionist, or a man whose hobby was the early history of the Baptist Church, and been "at your wits' end to know what conversational leads to advance"? Would you

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learn how to converse easily, gracefully, interestingly, rewardingly—in a word, successfully? Then make haste to visit your bookseller and provide yourself with *What To Talk About: The Clever Question as an Aid to Social, Professional, and Business Advancement*, by Imogene Wolcott.[1] Therein you will learn what to talk about to accountants, actresses, babies, brides, clergymen, debutantes, decorators (interior), detectives, elderly people, judges, lumbermen, matrons (society), newspaper men, nurses, "parents of a boy", "parents of a family", private secretaries, druggists, grocers, scouts (boy and girl), stenographers, trolley officials, welfare officials—and a host of others. Moreover, you will learn what to talk about to those whose hobby is astrology, beekeeping, bowling, cats, eugenics, fancy work, flying, jiu jitsu, metal work, spiritualism, stamps, weaving, ice hockey, yachting. Furthermore, you will be instructed in the art of conversing with "those who have lived in or traveled to" Algiers, Atlantic City, Deauville, Glacier National Park, the Holy Land, Indianapolis, Newport, Niagara Falls, Palm Beach, Russia, St. Louis, Wales, and the Vacation Spots of New England.

The method is simple. Let us say that you wish—that you are obliged—to talk to a "matron (society)". What shall you talk to her about? Nothing could be simpler. You have your copy of *What to Talk About* (price: $1.90) with you in the taxi. You can read it without much difficulty by the street lights. The introduction tells you how to proceed: "Turn to page 70 and look at the questions listed under the heading: *What to Talk About to Matrons (Society)*." You turn; you look. There is a brief introductory paragraph, designed to make it easy for you to recognize the distinction between a "Matron" and a "Society Matron": "An Englishman describes the society matron in this manner: 'Incredibly lovely and well-dressed, not only devoted passionately to pleasure and the arts, but in the vanguard of a thousand movements. She is the arbiter of national elegancies, and, Heaven knows, she may be the guardian of national destinies.'" Now that you are prepared to recognize her, here are several of the things you would do well to say to her:—

[1] G. P. Putnam's Sons, New York and London.

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Do you think it was any easier to entertain successfully in the days before prohibition than it is now?

Haven't you found it true that, nine times out of ten, the man of the family will wait until dinner is announced before going upstairs to wash his hands?

You will probably not need to remember the second *Clever Question;* the first will suffice, until it is time for the Society Matron to turn brightly to the Undertaker on her other side (were not ladies instructed, in the old days, to "turn with the roast"?). Well, the Matron has turned, and, having learned from *her* copy of *The Clever Question* what to talk about to Undertakers, is busy with interrogations about the recent flurry in the tombstone market and the recreations of gravediggers. It is now your part to deal with your neighbor on your left.

But here, it may be, you perceive a difficulty, just as we did. Suppose you don't know (we are assuming that you yourself, for the moment, are a Society Matron)—suppose you don't know whether the neighbor on your other side is a Detective, a Dentist, a Meat Man, or a Trolley Official? *Clever Questions* has foreseen this difficulty. But first you are warned: "Don't begin a conversation with a clever remark. In fact, it is dangerous to be clever at all unless you are among well-tried friends. . . . Don't pretend to know more than you do, or to like what you don't. Express your own mind honestly. . . . Personal remarks are in good taste if they are pleasant. If you admire a woman's string of beads, or think that she is a good influence in the Ladies' Aid, tell her so."

But is your neighbor a Dentist or a Meat Man? You are wondering. Your course of action is plainly marked out: "If you don't know a man's line, ask him point-blank. If you don't know anything at all about his business, tell him so, and risk being thought an ignoramus. This is better than appearing uninterested. If you ask him, he will gladly explain the nature of his work and its outstanding problems." You proceed according to rule:

"I beg your pardon, but what is your line?"

"I am a Detective, madam."

"Indeed! How very interesting!"

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You have your *Clever Questions* on your lap. Feigning to have dropped a pea, you stoop to find it. The detective stoops too. While he is searching for the pea, you turn swiftly, and with the sureness bred of long practice, to page 42, *What to Talk About to Detectives*. Here you are: "What are some of the various methods of procedure in finding a criminal?" As the detective abandons the pea and comes up for air and sociability, you apply your Conversation Opener (it is No. 3 on the list).

But suppose he has answered: "I am a Dentist." You proceed as before, with the following as your indicated Conversation Opener:

What is the most important tooth in one's mouth?

If this fails to produce results, you may try the following:

Should a dentist confine his efforts to care of the teeth?

He will probably answer, Yes; in which case, you may come back with an eloquent recommendation of the delights of basket-weaving or dermatology as side-lines.

The scope of this assemblage of *Clever Questions* is extraordinary. There are 286 pages of them, of which we take leave to exhibit a few more, chosen at random:

For a Trolley Official:

What do you think of the one-man car?

For a Druggist:

What proportion of your business is selling drugs?

[If your neighbour should appear to resent this question for any reason, pass quickly to the next:

What would you do if a man came into your store to purchase some bi-chloride-of-mercury tablets?]

For an Electrical Supply Dealer:

Why does an electric iron cost so much more to run than an electric fan?

For an Elderly Person:

Does fear of death become stronger or less strong as one grows older?

[If this seems tactless, try the following:

What is the secret of your contentment?]

For the Parents of a Baby. This is important, so we shall exhibit the author's prelude, since it establishes the desirable

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mood in the interrogator: "A baby will make love stronger, days shorter, nights longer, bank roll smaller, home happier, clothes shabbier, the past forgotten, and the future worth living for". This may be committed to memory, and used as an introductory quotation. Here are the *Clever Questions* for the Parents. As they depend on the baby's age, it is highly important to know the facts in the case, and not to mix them up.

Has he smiled yet? (*1 month*)
Can he hold up his head? (*4 months*)
Can he sit alone? (*6 months*)
Can he sing and dance? (*19 months*)
Can he make sentences? (*25 months*)

But you will, of course, need to converse on other occasions than at dinners and luncheons. Instead of being obliged to talk to a Parent, you may need to talk to Baby himself. Bear in mind this preliminary warning: "In meeting a baby, one should behave as much as possible like a baby oneself. . . . Abstain from cooing, grimacing, tickling, and the like, and model your deportment on the dignified but friendly reticence that one baby evinces in meeting another." But what to say? The difficulty is imaginary. If the baby is under three years old, seat him on your foot, and recite to him the immortal trotting rhymes that we all know by heart, beginning—

Pat-a-cake, pat-a-cake,
Baker's man!

If he is over three years old, hold him firmly by his little neck-band while you recite to him a poem by Mr. Vachel Lindsay, which you will find quoted in full in *Clever Questions*. It seems a drastic prescription, but it is not our part to reason why.

You are aided in this priceless book, as we have intimated, by other guides than classification by occupations. There are classifications by Hobbies and by Geographical Residence. For example, you have learned, by delicately heedful probing or by blunt interrogation, that the patient is a Meat Man hailing from Palm Beach whose hobby is Butterflies. Referring in order to pages 94, 125, 236, you proceed confidently as follows, your questions falling into this order as easily (in Mr. Kipling's words) "as one thing leads to another":

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Is frozen meat perfectly wholesome?

* * *

Do butterflies have a home life as do birds, bees, and ants?

* * *

How long does the season last in Florida?

You can see that the method is capable of infinite extension. Using *Clever Questions* as a model, you can easily draw up your own formulas to suit almost any conceivable situation; so that, in case you should ever find yourself confronting an Osteopath from Niagara Falls whose hobby is Rabbits, you will know precisely what to say. . . . Already we can hear you rehearsing the formula to yourself:

Do you agree that Niagara—or the Thunder of Waters, as the Iroquois Indians named it—is one of the world's most impressive spectacles?

* * *

Are rabbits hard or easy to raise?

* * *

Of course I don't mean "from the rabbit's point of view"! I mean—

The possibilities, you perceive, are infinite.

LAWRENCE GILMAN.

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AFFAIRS OF THE WORLD

BY WILLIS FLETCHER JOHNSON

THE brief career of Warren Gamaliel Harding as President of the United States was marked with three great deeds. There were other achievements, and not a few, any one of which in other circumstances would have been notably outstanding, and the sum total of which entitles him to distinguished rank among those who have served the State. Thus it was no light thing to bestow upon the Nation for the first time in its century and a third of constitutional life a practical and business-like system of finance. Neither was it a small performance to bring about, through informal personal influence, the establishment of an eight-hour working day in the greatest corporate industry in the world. But I pass by these and other no less meritorious works for the three which must always remain in memory, transcendent and supreme.

He entered office at the close of a war which had shocked, prostrated and all but wrecked the world, and while the world was still half staggering and half stunned beneath the blow. He conceived it to be his duty, before and above all else, to marshal for the restoration of the peoples and for their safeguarding against any renewal or repetition of the great disaster the triple forces of humanity. To that task he dedicated his thought, his energies and, as the tragic event reveals, his life.

First,—though I name them not in the actual and better order of his doing,—there was material action to be taken. Through administrative and diplomatic processes the Weary Titan of mankind was to be relieved so far as might be of the burden hardly to be borne of ever increasing armaments, and in its place was to be established a world-embracing understanding of amity and coöperation among the Powers. With a readiness surpassing expectation he summoned the Nations to our Capital, in conference for the limitation of armament, and for strengthening

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the bonds of peace in that quarter of the globe where apprehensions of impending conflict were most grave. He modestly stood aside, effacing his own personality, while the accredited representatives of the Governments performed the task to which he had called them; and had the satisfaction of seeing results produced which for practical and enduring beneficence to the cause of peace have never been surpassed by any Parliament of Man.

Next, there were the intellectual and moral safeguards against recurrent strife. For these he was no less ready and no less resolute. In the clarity and consistency of a well poised mind he perceived justice to be, among nations as among individuals, the only sound basis of that contentment which alone confirms peace; and he recalled the significant fact of history that this Nation, called into independent being through a protest against injustice, had from the very hour of its constitutional organization been committed to the principle of adjudication as a substitute for war. True to the policy enunciated by the Fathers of the Constitution and loyally maintained by the long line of their successors, he gave himself unreservedly to the task of aligning America where it belonged, in the forefront of the enlightened Powers which sought to substitute the court of justice for the camp of war. It is a noble memory that his first address to the Nation committed him to that course, and that his last words, issued from the very chamber of his death, confirmed him in the faith.

Last, though in fact first in order as immeasurably first in moment, was the rallying of the spiritual forces of the Nation to maintain in the practical services of peace some measure of the fervor and exaltation of soul that had been roused by the stress and the extremities of war. In doing that he attained a pinnacle of eminence which it has been given to few men in any age or land even to approximate, to no one to surpass. Standing in perhaps the most sacred spot of all the land, on an occasion unrivalled in its solemnity and its profound significance, when the deepest emotions of the people were wrought upon to a degree that seemed to transcend all possible expression, he solved the insoluble, he uttered the unutterable. Above all other memo-

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ries of him there must always abide in the heart of the American Nation the picture of Warren Gamaliel Harding standing at Arlington, in the very abode where the Immortals are, leading the people and the world to say—

> *Our Father, Which art in Heaven, Hallowed by Thy Name. Thy Kingdom come. Thy Will be done on earth as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, and the Power, and the Glory, for ever. Amen.*

* * * * * *

The Turk is the supreme victor in the World War. That is the significance of the Treaty of Lausanne. It is an achievement without precedent or rival in the history of the nations. Months ago I commented upon the return of the Turk to Europe —the return of him whom we used to call the "Unspeakable" to the continent from which he was to be expelled "bag and baggage". Just that return, on sufferance and under rigorous restrictions, would have been a noteworthy victory. Instead, he returns without sufferance, without restrictions, with prestige immeasurably enhanced, with title cleared of every blemish and every challenge, and for the first time since Orkhan crossed the Straits, more than five and a half centuries ago, he is received fully into the equal fellowship of European sovereignties. The capitulations of extraterritoriality are abolished. All guards of foreign troops are withdrawn from Turkish soil. All Greeks are expelled from what was once the Greek Empire. And the pitiful remnant of the Armenian people is delivered to the destroyer and the very name of that country is obliterated from the map. Had Turkey and her allies of Central Europe been victorious in the World War, she could scarcely have claimed greater spoils of triumph than these. That at the end of three wars extending over twelve years, in every one of which she was completely vanquished, Turkey should be able to dictate a peace so opulently advantageous to herself, is an anomaly to which history provides no parallel and no approximation.

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Signor Mussolini is the wonder-man of modern Italy. We must turn back to the days of Rienzi and Savonarola for anything like the spell which he seems to have cast upon the land. Even they fell far short of his achievement, for their influence was restricted within a small area, while his sway sweeps unbroken and unchallenged from the Alps to the Ionian Sea. He dictates to the King, and the King accepts his dictation. He demands a vote of confidence from Parliament, and he receives an overwhelming majority. Imagination hesitates to suggest limits to his ever rising power. Yet the two names which I have partially bracketted with his, and which alone in Italian history seem appropriate for such association, suggest the epigram of Jouy-Spontini, *La roche Tarpéienne est près du Capitole.* To that, however, well-wishers for Italy will cry *Absit omen!* For with all his extravagances the Professor turned Dictator has done a mighty work for a new Italian Renaissance. The coming elections will tell to what extent the people appreciate that work and desire it to continue.

No idealist or altruist could easily conceive a finer report of benevolent achievement than that which was made in behalf of the returning Russian Relief Mission; and no cynic could invent a more acrid sequel to it than that which appeared in the same press at the same time. Nearly two hundred American men and women toiled in Russia for nearly two years. They performed the most repulsive tasks amid squalor and foulness unspeakable. They healed the sick, they stayed the pestilence, they fed the starving, they clothed the naked, they supplied the peasants with seed grain for their farms. They saved, it is estimated, ten million lives. The money cost was $62,000,000. Six dollars and twenty cents a head is the least expensive life-saving on record. Seeing this and appreciating it in true Bolshevist fashion, Soviet Russia promptly dispatched a numerous contingent of spies and propagandists to America, to enter our borders furtively on forged passports, to agitate and conspire against and if possible to overthrow and to destroy the government and the social order which had wrought so great a work for Russia and which indeed alone made possible the doing of such

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a work. Incidentally it at the same time arranged for a huge agricultural exposition and fair to display the prosperity and wealth of the country which had been a suppliant for the succor of the world. Was it Æsop who told of the man who saved the life of a viper by warming it at his own hearthstone?

The adoption of our Fourth of July as a national holiday by Peru may well serve as a suggestion to this and other countries for extension of international observances of that kind. Peru has cause—as have her neighbors—to regard with peculiar gratitude our Declaration of Independence, since it unmistakably opened the way for the South American revolt against Spanish Bourbonism. France, too, is year by year more and more observing the Fourth of July, which was also the precursor of her Fourteenth of July seventeen years later. But it is no whit less fitting—I might say, incumbent upon us—for us to commemorate, as happily we now very largely do, the anniversary of the birth of Lafayette and also that of the Miracle of the Marne which so closely coincides with it. The same grateful principle applies, in no less degree, to the anniversary of Magna Charta, the forerunner of the Bill of Rights of our own Constitution. Perhaps it would be worth while for all nations to give some practical consideration to the matter of such mutual and common ties of remembrance and of sympathy. As a rule men are pretty keen to remember the conflicts of nation with nation, and the victories of one over another. It is surely no less desirable for them to recall the friendships and the acts of coöperation between them.

There is a curious resemblance to a boomerang in Mr. Edison's complaint that college men are incapable of doing anything save the specific tasks for which they have been trained. Of course, the complaint is not well founded, save perhaps in a minority of cases. But if it were, what would it prove? It would condemn the very type of education which Mr. Edison and those who agree with him wish to promote, and would vindicate that which they most strongly disapprove. If your young man is educated —instructed, trained, what you will—in a so-called "practical"

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school, where the Classics and Humanities and Liberal Culture are ignored in favor of purely utilitarian things, the things which he will "have to practice" when he gets out into the world, I grant you that he will be of little value in any other occupation than that for which he was thus prepared. (Incidentally, the chances will be against his really excelling in it.) But if he pursues a thorough course of that Liberal Culture which is *anathema* to "practical" men, he will emerge with a mind well balanced, equally developed in all its functions, and, in Huxley's often quoted phrase, ready to be turned to any kind of work and to spin the gossamers as well as forge the anchors of the soul. If you train a youth physically to throw the javelin and to do nothing else, he will be incapable of excelling in any other exercises. But if you give him an all round gymnasium training, he will be able to do anything that the physical frame of anyone can do. There are too many shining examples of versatility, and of men excelling in one calling and then going with equal success into another radically different, for Mr. Edison's reproach to stand before them.

The death of Rear-Admiral Sigsbee is a reminder that a full quarter of a century has passed since the mysterious tragedy which gave him a popular prominence surpassing that to which he was entitled for his really great scientific achievements in thalassography and naval arts, and since our little war with Spain which had results of world-encompassing scope. The Cuban problem, which was the cause of that war and was supposed to be the most formidable connected with it, was long ago solved and ceased to cause us concern. The Philippine problem, which was merely incidental and unintended, seems today not much nearer solution than it was when General Funston was chasing the fugitive Dictator, Aguinaldo, through the jungles of Luzon. Apparently much of the trouble in the archipelago arises from the unfortunate inconsistency or variability of our own policy, under the exigencies of party politics. There was no question of the original policy of the Government. It was to hold the islands as territorial possessions of the United States, just as we were and are and always shall be holding Alaska and

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Hawaii. But Colonel Bryan, having been badly defeated on the issue of free silver, hoped to win on that of "anti-imperialism", and thus committed his party to the policy of renouncing the islands and scuttling out of them—the very same party, by the way, which had thitherto been responsible for most of our territorial acquisitions. He was defeated on that issue, but the party retained it, and when at last a Democratic President was elected it was adopted as his policy and our official attitude toward the Philippines was flatly reversed. Now a Republican President is in office, and there is naturally some reversion toward the original Philippine policy, to which we stand pledged in the eyes of the world.

Retaliation and reprisals between nations in the transportation of the mails are about as poor a policy as could be devised. Yet they are what we have recently seen, on a large scale, in the transatlantic service. Both Great Britain and France are reported to have held back large quantities of mail, which they might have shipped on a swift American steamer, and to have shipped it later on vessels under their own flags. Some have attributed this action to resentment at our prohibition of the carrying of wines on British and French ships in American waters; others, perhaps more plausibly, to unwillingness on the part of those countries to patronize and thus help to build up an American merchant marine which will be a rival of their own. Either motive, or indeed any other that can readily be conceived, would be quite insufficient and unworthy. But American condemnation of the discrimination against our ships is tempered by the consideration that we ourselves may not always have eschewed similar practices. In the transportation of merchandise it is a familiar practice for nations to favour their own vessels, and it is not without grounds of justification. But the carrying of mails, and especially of letter mails, is a different matter, for such discrimination in which no justification is apparent. It would be for the betterment of international relations, and certainly for the great advantage of the public, for the members of the International Postal Union to engage, by convention, to abolish all such practices. The invariable rule should be to

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transmit transoceanic mails by that steamer which will get them to their destination at the earliest date, regardless of its flag or of its date of sailing.

A great thought conceived in youth and fulfilled in age—the old French epigram is perhaps the best possible characterization of the career of Francis Parkman, whose centenary occurs this month and should be reverently commemorated by everyone who loves noble literature or admires spiritual and physical heroism of the highest type. It cannot be invidious to say that American literature, which is by no means poor in history books, contains no more perfect example of history as it should be written than his great sequence of volumes on *France and England in the New World*. Indeed, I might go further and say that in the whole range of English literature, which because of the peculiar adaptability of the language to such expression probably contains more history writing of the first class than all other modern literatures put together, there are no works with which his are unworthy to be ranked. Nor do I recall in the annals of authorship a finer display of heroism than his—sitting with closed and bandaged eyes, or in a darkened room, while books and manuscripts were read to him; writing fragmentary notes labouriously with the aid of mechanical devices to guide his hand; exhausted at the end of a half hour's toil, and often producing not more than half a dozen finished lines a day; yet persevering until he had given to a then unappreciative world that unsurpassed masterpiece, *The Conspiracy of Pontiac*. Rivalling Boone and Crockett as a frontiersman and wilderness adventurer, Catlin as a student of Indian life and manners, Audubon as a naturalist, Gray as a scientist, Motley and Prescott as a man of research and letters, his splendid career is equally a glory of American scholarship and manhood and a withering reproach to today's scribblers who seem to think a typewriter, a pipe and a bundle of ignorant prejudices the only needful equipment for an historian.

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NEW BOOKS REVIEWED

THE POEMS OF ALICE MEYNELL (Complete Edition). New York: Charles Scribner's Sons.

So marked is the effect of intensity, artistic restraint, and elevation produced by Mrs. Meynell's poetry that the reader on closing her book is feign to concur unreservedly in the pronouncement of Alfred Noyes: "She has given to English literature now, and to the literature of the world in centuries to come, what no other poet has been able to give—a volume of little more than a hundred pages containing only masterpieces." Admiration, of no ignoble sort, these verses are certain to evoke in every truly critical reader. But the more lasting value of masterpieces so curiously perfect must be estimated—in so far as such estimate is possible or fit—through considerations of the processes and the motives that explain the perfection. It is thus the total meaning (in no overt and commonplace sense of the word) that the critic must penetrate if he can.

One's first unmistakable reaction is that of finding oneself in a highly rarefied atmosphere. The tone is high and serene with a hard-won serenity. On further reflection, the most striking single peculiarity of this poetry appears to be its "metaphysical turn"—its love of paradox and of inventions bordering on the quaint and curious, of "conceits" almost Elizabethan in style.

This peculiarity, however, is plainly no mere mannerism. The intellect, one sees, is singularly exigent and active. At first thought, it appears to spend itself, artist-wise, almost wholly upon the form, and nothing but perfection of form suffices. Every line must be purely and impersonally poetic, possessing concision, polish, restraint, and music—above all, clearness and energy combined with subtlety of expression. Feeling is no doubt intense, but it is feeling disciplined and etherealized by the poetic form. In this respect the author's poem upon silence has a special significance:

> Not, Silence, for thy idleness I raise
> My silence-bounded singing in thy praise,
> But for thy moulding of my Mozart's tune,
> Thy hold upon the bird that sings the moon,
> Thy magisterial ways. . . .

Here it is not the pleasant, uncloying suggestion of Keats in the fourth line, nor the delicately accurate choice of the word *magisterial* that seems most significant: it is rather the fact that in this verse, as in the whole poem, the author externalizes, subtilizes and exalts *limitation* as few poets have ever done.

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And yet it is no discipline of external form which gives its true character to this poetry. The intimate process of its growth appears to be that of a strangely acute awareness of all possible attitudes, a search among them that is as persistent and instinctive as a child's need of comfort, an unchildlike choice and acceptance of the most difficult. It is this and no mere love of art for art's sake (the hypostasis of art) which explains the subtlety, the love of profound paradox, the refinement of form.

In the broadest sense the poems are "spiritual" (because they are intellectual) much more than are those of most poets whose emotional expression seems freer. In them sublimation appears to be carried to the highest degree, for it begins with feelings already far above the level of those primitive emotions that have to be sublimated in order that life may be tolerable, and it goes much farther than most poets have carried it without being diverted into purely religious or mystical channels. Obsession there may be, or victory over obsession, but none of that hallucination which makes the romantic poets at once enchanting and disturbing. The way chosen is always the high and difficult way—never the path of easiest release through the ministration of "art". Mrs. Meynell has never written in verse what in music is sometimes called a "consolation".

On the whole it seems to one that the poet is hypersensitive rather than clairvoyant. It is as if the psyche, peculiarly conscious of itself as apart from the reports of its senses, detached itself from all bodily comfortings or perturbations, and wrestled with its difficulties on a plane near reality. It is not intellect in the ordinary sense, it is not emotion in the common meaning, which judges and accepts. The thing that determines form and content is as nearly as possible "pure spirit." Unshielded by illusion or the pleasant daydreams that pass for the poetry of life, this poet, vulnerable through her keen perceptions and her equally acute logic, cries out to sleep to protect her "*cowering consciousness*" and to soothe her with the divine foolishness and innocence of dreams.

If one were to find fault with this body of poetry as a whole, one would say that in general, it is not in Wordsworth's sense "soul-animating". It is all of great value because of its rare sincerity, its refined and subtle truth, its delicately wrought perfection of speech. Being thus true and thus wrought, it in every line deserves to be called poetry, art, beauty. But such valuation places the emphasis upon art as an incidental result of processes that have in themselves a profound significance. To appreciate Mrs. Meynell in this way is exceptionally difficult; hence her audience is of "the fit, though few." If, however, we seek for something more than a "literary" verdict on these poems, we must say that, humanly speaking, their greatest qualities are a thoroughly feminine acuteness of logic and a thoroughly feminine courage in the acceptance of attitudes most difficult to maintain. In more than one poem these qualities are explicit. The stanza called *Veni, Creator* may be chosen for example:

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So humble things Thou hast borne for us, O God,
Left'st Thou a path of lowliness untrod?
Yes, one, till now; another Olive-Garden.
For we endure the tender pain of pardon,—
One with another, we forbear. Give heed,
Look at the mournful world Thou hast decreed.
The time has come. At last we hapless men
Know all our haplessness all through. Come, then,
Endure undreamed humility: Lord of Heaven,
Come to our ignorant hearts and be forgiven.

Such sayings are to be received by those who can receive them.

PRELUDES. By John Drinkwater. New York: Houghton Mifflin Company.

Love is Mr. Drinkwater's theme in this sequence of poems—love in all senses. There is here little distinction of "love sacred and profane". The love of Jonathan and David, the love of man and woman that the world calls "illicit", the love of mother and child, the love of the body, the love of the mind, the love of the soul—all are one. And this one love is to be exalted above all things. The cult is not a new one: moreover, it is a cult to be respected. It is, however, never quite the same thing in any two minds.

The first thing that it seems proper to say about Mr. Drinkwater (purely for the purpose of clearing the way to an understanding of his poetry) is that, despite the strangeness and fascination of his verses, he is not, in any definite sense of the term, at all a mystic. The word *mystic* is, of course, susceptible of many varied meanings. It is a word of great potency which is often desired because of its traditions. There is thus a tendency to apply it to any exalted frame of mind and to any profound faith. But almost any state of mind may become exalted and almost any faith may be profound and assured.

What one means is that Mr. Drinkwater does not succeed in being mystical as Rossetti was mystical. Really there is as much flesh and bones in his poetry as there is in the philosophy of Unamuno. Like the Spaniard, he asserts the *wholeness* of life and of love. One knows, of course, that Rossetti spoke of "bathing together in God's sight", and that he was accused of having founded a "fleshly school of poetry". Nevertheless, Rossetti made the flesh mystical, while Mr. Drinkwater tends to assimilate all love to the glory and innocence of the flesh.

Thus it happens that his poem entitled *Gold* is by no means comparable to *The Blessed Damosel*, which it resembles in theme and in metre. The stanza—

There is a castle on a hill
So far into the sky

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That birds that from the valley beds
Up to the turrets fly,
Climbing towards the sun, can feel
The clouds go tumbling by—

has an insinuating charm, as have the stanzas that follow it. But on the whole the poem is a mere decoration, or, at best, the exaltation of a somewhat exceptional human contentment. It scarcely appears to be the image of a state felt to be supernormal and authoritative. For this reason, it is perhaps all the more acceptable; but it does not strike one as mystical. Though it possesses the glamour of words and the glamour of sunshine, there is a glamour which it lacks. It is noteworthy that Mr. Drinkwater's dream-country is much nearer the earth than Rossetti's. It is well within that half of the atmosphere in which storms are said to occur, being, in fact, just above the clouds. What the poet eliminates by his change of level is simply the water vapor—the tears and the obscurity. But he breathes air, not æther.

The second point one wishes to emphasize, in no fault-finding spirit, is that Mr. Drinkwater's poetry is not, of course, particularly moral. Religious it is, if you please, but simply not moral, not even philosophical, at all. In the poem on David and Jonathan it is found, to be sure, that each of these heroes has two selves, which may be readily mistaken for the higher and the lower selves of Plato. But the dualism is not authentic. The whole point is that the two selves complete each other through love and then struggle ceases.

Is it desirable for men to have some beliefs that are neither moral nor religious but simply poetic? Beliefs which are more or less inapplicable to ordinary life and which one does not expect to act upon? Into some such non-moral, non-pragmatic view, one is lured by the magic of Mr. Drinkwater's verse. Perhaps the very function of one kind of poetry is to provide us with just such beliefs—such resting places; for every belief is in one sense merely a resting place, though in another sense it is a practical tool. Nor does one suppose that the only function of such poetry is to provide an outlet for suppressed desires. No, in Heaven's name, let us be as little Freudian as we can!

Mr. Drinkwater's verses are unmistakable poetry, strong, frank, and fine in expression; sun-warmed and warmed by a human passion that is neither crude nor over-censored. The poet seems to catch the true rhythm and pulse of life as distinct from its essentially unrhythmic moods, its hysterias and syncopations.

INTERNATIONAL SOCIETY. By Philip Marshall Brown. New York: The Macmillan Company.

On this precise theme a really definitive book suited to the general reader has long been needed. So much has been written upon the general subject, from so many points of view and with so many varieties of emphasis, that the

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time for a genuinely clarifying book has certainly arrived. We cannot afford to give way to pessimism or to a short-sighted evolutionary determinism in international affairs, nor must we yield to the lure of rosy optimism. Ideals—reasonable ideals—are not everything, but they are by no means functionless and vain. That courageous "meliorism" which obtains too little credit in this world as distinct from extremes both optimistic and pessimistic is what Dr. Brown expresses. Duly taking into account the historic facts and the "imponderables" as well, the author within a short space presents a really philosophic view of his subject.

The real object is to find the path of reason in international affairs—which is not quite the same thing as a reasonable programme. Reason has a certain function; but it cannot legislate to suit itself. The course it must follow, the rate at which it can move, must be discerned.

"The voice of pure reason can seldom be heard," writes Dr. Brown, "in human affairs. The political evolution of international society has had but slight relation to the evolution of thought. Political theorists, it is true, have at times stimulated men to action, but it still remains true that reason has but little influence on the actual conduct of human relations."

What is needed is some means by which men can become more and more conscious of their real desires; and reason helps, not through the creation of sweeping programmes or the complete dominance of the human mind, but slowly and gropingly through a multitude of agencies all imperfect and tentative. It is heartening to observe the number of such agencies now in operation—the World Court being only one among many.

Thus there appears to be a path for intelligence to follow through the maze of conflicting interests and passions that make up international politics. Avoiding mere determinism and leaving at one side the romantic fallacy that men only need to see right and reason in order to put it into practice, it performs its true function as a moderator and interpreter, the best minds leading, with due regard for the legitimate instincts and relatively "right" demands of the multitude. Back of this is the faith that mankind is spontaneously evolving toward the realization of an ideal of brotherhood; that the general religious consciousness is becoming more and more effective as misunderstandings and economic obstacles are gradually—very gradually—removed. The reader of Dr. Brown's book will find this track of reason clearly and firmly traced amid the many conflicting facts which are in turn set forth with scholarly conciseness and matter-of-fact-ness.

A sort of final test of Dr. Brown's book is that it really does appear to get at the center of that controversy concerning the League of Nations and the Permanent Court of Justice which bids fair to be a great fog-producer for years to come. The reader will find himself able on these subjects to take an impartial and moderate position which is logically almost unassailable, which is flexible enough to permit of adjustment to events, but which involves no weak compromise, nor any arbitrary choice of a middle course.

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AN OUTLAW'S DIARY. By Cécile Tormay. New York: Robert M. McBride & Co.

The chief value of Cécile Tormay's diary of her life during the revolution in Hungary is psychological. Her book is a human document revealing the workings of intense nationalism in a sensitive soul. All the imponderables—all the elements of this complex emotion of nationality—including racial feeling, are here represented. Aside from this, it must be said that despite its intimacy and vividness, the narrative is somewhat fatiguing and not always so luminous as striking—a defect that the uniformly emotional expression of thought in prose scarcely ever escapes.

A wild conjecture flashes through the author's mind and she dutifully sets it down. Nevertheless, it does not seem probable that Count Michael Károlyi was greatly influenced in his revolutionary courses by Dostoievsky's novel, *The Possessed*, though proof is given that he had read the book and "loved" it. Strong emotion makes one indifferent to incongruity. Thinking of the woes of Hungary, Cécile Tormay hears a dog whining in an adjacent garden. "Despair overcame me. It was not only a dog that whined its lament: it was the night that wept over Hungary!"

Occasionally in the midst of all this effusion of feeling and this overwrought impressionism, there is a bit of significant anecdote or a genuine piece of portraiture. The thumbnail sketch of Count Tisza seems true: "Poor Tisza! In his good qualities and in his shortcomings he was typical of his race. He was faithful and God-fearing, honest, credulous, and obstinate, proud, brave, calumnied, and lonely, just like old Hungary." But the account of Károlyi, Tisza's chief opponent, is so full of hatred and bitterness that one finds a little difficulty in believing in this monstrous personality. The author does not know how to convince by presenting facts impersonally and tolerantly, nor does she possess the ability of a Carlyle or a Victor Hugo to build a great stage and fill it with tremendous figures, noble or grotesque. So far as imagination and feeling make the narrative dramatic, there is generally something a little Punch-and-Judy-like about the *dramatis personæ*. Vehemence and power are not the same!

According to Cécile Tormay, the French Government allowed Károlyi to return to Hungary in order that he might engineer a revolution and bring about a speedy peace. At first many of the Hungarians were deceived, joining enthusiastically in a movement which was but a miserable "parody of 1848". More and more, the new government—Károlyi's National Council—gave way to radicalism and fell under the dominance of such men as Joseph Pogány and Béla Kuhn. In the hope of avoiding ultimate disaster the King was advised to abdicate. He stamped his foot and wept, as Kings will do on such occasions, but he finally signed the decree. Meanwhile he went shooting—not because he was a light-minded monarch, but because he had to provide the royal family with food! It is all strange enough.

It would seem that in 1918 and 1919 Hungary had to choose—as far as

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choice was possible—between German militarism and Russian Bolshevism. Personally, the author greatly preferred the German alternative, though she was by no means insensitive to the shortcomings of the Teutonic temperament. The situation was a hard one, and though we may not be deeply impressed with the pathetic plight of a King obliged to go hunting in order to supply the family larder, though we may not be grievously shocked by the insults that the revolutionists offered to Mackensen, yet we cannot fail to appreciate and sympathize with the agony of all patriotic minds in Hungary.

THE DANCE OF LIFE. By Havelock Ellis. New York: Houghton Mifflin Company.

Havelock Ellis's new book is frankly another "affirmation". No wisely skeptical person, of course, will reject its thesis merely on this account, for all philosophy is of the nature of a surmise; something must be affirmed or "posited" if we are to live at all. The real question is whether we are to affirm conservatively and impersonally or somewhat radically and individually. In this is involved the old question of the One and the Many, which has its counterparts in such oppositions as that of individualism *vs.* coöperation in society, liberalism *vs.* conservatism in politics, romance *vs.* classicism in literature. On the whole, Mr. Ellis leans to the individualistic and romantic view of things. "He who carries farthest his most intimate feelings is simply the first in file of a great number of other men, and one becomes typical by being to the utmost degree oneself." In other words, every man his own Rousseau!

Broadly speaking, Mr. Ellis's thesis is that life itself is an art—and that religion, morals, thought itself, are merely contributory arts. The type of them all and the art that is most intimately related to the great Art of Living is *dancing*. There is no true or final psychological distinction between science and art, and the opposition between religion and science is unreal.

Such an affirmation must, of course, be tested by something outside itself. One cannot without self-stultification say that because all affirmations are equally sound, therefore the statement that all affirmations are equally sound is true! Nor can a thesis like that of Mr. Ellis be made convincing through ingenious analogy alone or by a somewhat weak and undeveloped train of evolutionary reasoning. The primitiveness of the dance as a form of expression seems a poor reason for regarding it as a fundamental form. In point of fact the author appears to show a common weakness of romantically affirmative thinkers in a willingness to accept as confirmatory of his thesis almost any doctrine with which his wide learning supplies him. Those who like to believe that Socrates is a legend—an art-product—may do so if they can really conceive that the Xenophon who wrote the *Cyropædia* and the *Hellenica* was capable of constructing the Socrates of the *Memorabilia* out of

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fragments of gossip and tradition. For some this is not easy. The question is really neither here nor there; the main argument is neither strengthened nor weakened by it. Such excursions are merely mentioned here as illustrative of a certain wandering tendency of the purely affirmative mind.

The main affirmation cannot be justified from the biological or psychological point of view. Neither psychology nor biology can discover a "philosophy"—a way of life such as Mr. Ellis here seeks for—because both these sciences are abstractions: they *begin* by abstracting from those total human values which a philosophy of life must end by bringing to light. Nor can a refined skepticism wholly support an affirmation which speaks of life; for skepticism is negation. It strips away the mythology from our thinking, brings us, we may think, in some practical way nearer to reality, but leaves the question of what affirmation is best just where it was.

The real tests of our affirmation must ever be its simplicity, its inclusiveness, its universality. It must be a synthetic and organic principle—one that reinforces life, not merely one that analyzes and alternates it. It is clear, indeed, that to a certain degree Mr. Ellis's discourse performs this function. It is clarifying to perceive that *psychologically* the scientist, the artist, the man of religion, are at one. It is true that morals share in the same process that is characteristic of art, and by putting the two upon the same psychological plane the advanced thinker may be harmlessly relieved of much that is commonplace, narrow, and obvious in current morality. Even the statement quoted in the first paragraph of this review—the Rousseauistic affirmation of the right to affirm—is no doubt approximately true of *genius*. For in genius we seem to see a revival of non-moral instinct upon a new plane. Nevertheless it appears that Mr. Ellis has abstracted from certain total values and has made his picture of human life too thin, his conception of the civilized man too automatic and hedonistic to be permanently satisfying. Let us not suppose that there is boldness in such affirmation. It is not bold, but on the contrary rather weak and tentative. The bold man is the thorough skeptic who affirms the value of what humanity calls ideal, who calls life neither dance, nor conflict, nor art, but, while recognizing its affinity with all these things, regards the whole as a great process in which his own will purpose and his (posited) soul have a part—positing, as well, some larger purpose governing all. It is this view that appears to give to life its tragic dignity. Humanism is greater than the newest of the humanities—it is greater than psychology.

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